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COMPREHENSIVE PLAN FOR CRIMINAL JUSTICE IMPROVEMENT

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MONTANA BOARD OF CRIME CONTROL

FORWARD

The symbol on the cover is the official Montana Bicentennial logo, tersely depicting the character of Montana today, as well as its past and future, as an environmental resource for the nation.

As our country marks the bicentennial anniversary of its birth, Montana is yet 14 years away from the centennial observation of its statehood.

However, it is a good opportunity for Montana to examine its own past course and make determinations as to the course it chooses to follow in all aspects of its future, to determine what part it will play in the nation as a whole, as a young but important state. Montana may see the interest of the nation become focused increasingly here, on this source of recreational facilities, land for agriculture uses, fossil fuel, and mineral wealth. All of these resources are finite, and will be in shorter supply as time goes on unless they are made wide use of now. Montana is caught up in the rapid change all the states are experiencing, yet the kinds of changes are peculiar to each individual state.

It is a good opportunity for Montana to look inward, too, and scrutinize its own problems and formulate remedies that will enrich and improve the quality of life for all Montanans as well as all Americans. Although different in character from the other states, Montana shares many concerns.

The criminal justice system--its effectiveness and its future--is a major concern. Changes in the courts system, new directions in adult and juvenile corrections, challenges from the exploitation of eastern Montana for its coal reserves and the resulting boom and bust phenomenon that taxes existing law enforcement systems, the shifting roles of the police and the need for citizen involvement, questions of Indian jurisdiction and problems on the reservations, the growing population of the state overall, with increasing urbanization, automation, depersonalization, and their inherent problems -- the importance of a cohesive information-gathering and rendering system--all these things are of great concern in Montana's criminal justice system today. This 1976 plan is our best effort at dealing with Montana's criminal justice system. It is a plan that looks to the Montana of the future as an even better place in which to live.

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OMB NO. 43-R-0535
EXPIRATION DATE 6/30/76

LAW ENFORCEMENT ASSISTANCE ADMINISTRATION
U. S. DEPARTMENT OF JUSTICE
WASHINGTON, D. C. 20530

APPLICATION FOR ACTION GRANT

Application Is Hereby Made For A Grant In The Amount Of $ 2,161,000 Under Title I, Part C and Part E of the Omnibus Crime Control and Safe Streets Act of 1968, as Amended.

By

MONTANA
(insert name of State)

Planning Agency Administrator: (Name, title, address, and telephone number)	Financial Officer: (Name, title, address, and telephone number)
Mike A. Lavin, Administrator Board of Crime Control 1336 Helena Avenue Helena, Montana 59601 (406) 449-3604	Mrs. Margaret Crutcher Finance Officer Board of Crime Control 1336 Helena Avenue Helena, Montana 59601 (406) 449-3604

1. This application is supported by: (Check and complete one)

   [X] The attached revised Comprehensive Plan dated September 30, 1975

   [ ] The attached (supplement) (amendment) to Comprehensive Plan dated _____.

2. The undersigned represents, on behalf of the applicant agency that:

   a. Any grant awarded pursuant to this application shall be subject to and will be administered in conformity with the General Conditions Applicable to Administration of Grants under Part C and Part E, Title I of P.L. 90-351, as amended, as set forth in Appendix 4-3 of Guideline Manual M 4100.1D.

LEAA FORM 4402/1 (8-73)

b. Funds awarded will be used only for the programs described in the Section entitled "Annual Action Plan" as set forth in the approved Comprehensive Law Enforcement Plan or in any amendment thereto duly filed with and approved by the Law Enforcement Assistance Administration.

c. Not more than one-third of the gross amount of this grant will be expended for compensation of police and other regular law enforcement personnel, exclusive of compensation for time engaged in conducting or undergoing training programs, or compensation for personnel engaged in research, development, demonstration or other short-term programs.

d. Any grant funds so expended for compensation of personnel subject to the one-third limitation will be matched by State or local expenditures for increased personnel compensation of equal amount.

3. The State Planning Agency hereby assures that it will comply with and will insure compliance by its subgrantees and contractors with Section 518(c)(1) of the Crime Control Act of 1973, and Title VI of the Civil Rights Act of 1964, and the regulations of the Department of Justice issued to implement Title VI of the Civil Rights Act (28 C.F.R Part 42, Subpart C) to the end that no person shall, on the grounds of race, color, national origin or sex be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity funded in whole or in part with funds made available through the Law Enforcement Assistance Administration. The State Planning Agency further will comply with and insure compliance by its subgrantees and contractors with Department of Justice equal employment opportunity regulations in federally assisted programs (28 C.F.R. Part 42, Subpart D) to the end that employment discrimination in such programs on the grounds of race, color, creed, sex, or national origin shall be eliminated. The State Planning Agency further insures that educational institutions comply with the provisions and requirements of Title IV, Section 901, of the Education Amendments of 1972 (P.L. 92-318) which provides that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving financial assistance from the Department of Justice. The State Planning Agency recognizes the right of the United States to seek judicial enforcement of the foregoing covenants against discrimination, and will include a similar covenant assuring the right of the United States to seek judicial enforcement in its subgrants or contracts.

4. This application (submitted in 12 copies) consists of the following in addition to this form:

Attachment A: List of Action Programs for Which Grant Support is Requested

Attachment B: General Conditions (See Appendix 4-3)

Attachment C: Program Component--Comprehensive Law Enforcement Plan

Attachment D: Progress Report

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*Signature of State Planning Agency Administrator

Date: September 30, 1975

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* Signature required on original copy only--use Ink. If another authorized State signatory is required for this grant application by State law or executive policy, this should be added, including a reference to position and title.

APPLICATION FOR ACTION GRANT--P.L. 90351, AS AMENDED

U.S. DEPARTMENT OF JUSTICE
LAW ENFORCEMENT ASSISTANCE ADMINISTRATION

ATTACHMENT A

List of Action Programs for which Grant Support is Requested

STATE: Montana

(Derived from Program Descriptions in the State Plan Annual Action Program)

	PROGRAM DESCRIPTOR					PART C		PART E		
SPA CODE	PRIMARY FUNCTIONAL ENTITY	PROGRAM THRUST	CLIENT GROUP	CRIME ADDRESSED	Estimated Total Cost	LEAA Federal Share	State, Local and other Share	LEAA Federal Share	State, Local and other Share	Page Ref. in Plan
A-1					$ 12,300	$ 11,000	1,300	$	$	
A-2					158,000	79,000	79,000			
A-3					96,000	48,000	48,000			
A-5					77,800	70,000	7,800			
A-7					10,000	9,000	1,000			
A-9					30,000	27,000	3,000			
A-10					30,000	27,000	3,000			
B-1					89,000	80,000	9,000			
B-3					17,800	16,000	1,800			
B-4					22,300	20,000	2,300			
B-6					11,200	10,000	1,200			
B-7					50,000	45,000	5,000			
B-8					6,700	6,000	700			
B-9					11,200	10,000	1,200			
B-10					1,000	900	100			
B-12					7,300	6,500	800			
B-13					16,700	15,000	1,700			

March 21, 1975

STATE: Montana

SPA CODE	PRIMARY FUNCTIONAL ENTITY	PROGRAM THRUST	CLIENT GROUP	CRIME ADDRESSED	Estimated Total Cost	PART C LEAA Federal Share	PART C State, Local and other Share	PART E LEAA Federal Share	PART E State, Local and other Share	Page Ref. in Plan
C-2					$ 27,800	$ 25,000	$ 2,800	$	$	
C-3					56,700	51,000	5,700			
C-4					11,200	10,000	1,200			
D-1					94,000	70,000	24,000			
D-3					560	500	60			
E-3					40,000	20,000	20,000			
E-4					63,000	40,000	23,000			
E-5					180,000	90,000	90,000			
F-3					5,600	5,000	600			
G-1					388,600	277,600	111,000			
G-2					412,000	370,000	42,000			
G-3					11,200	10,000	1,200			
G-5					22,300	20,000	2,300			
H-1					22,300	20,000	2,300			
H-2					11,200	10,000	1,200			
H-4					11,200	10,000	1,200			

APPENDIX 4-3. GENERAL CONDITIONS APPLICABLE TO ADMINISTRATION OF GRANTS UNDER PART C AND PART E OF TITLE I, P. L. 90-351, AS AMENDED

The applicant State hereby assures and certifies that the State Criminal Justice Planning Agency and its subgrantees and contractors will comply with the LEAA regulations, policies, guidelines, requirements, Office of Management and Budget Circulars Nos. A-87, A-95, and A-102, and LEAA Guideline Manual M 7100.1A, Financial Management of Planning and Action Grants, as they relate to the application, acceptance and use of Federal funds for this federally-assisted Plan. Also, the applicant gives assurance and certifies with respect to the grant that:

1. REPORTS. Each grantee shall submit such reports as the Law Enforcement Assistance Administration shall reasonably request.

2. DISCRIMINATION PROHIBITED. No person shall, on the grounds of race, creed, color, national origin or sex be excluded from participation in, be refused the benefits of, or be otherwise subjected to discrimination under grants awarded pursuant of P.L. 90-351, as amended, or any project, program or activity or subgrant supported by this grant. The grantee must comply with the provisions and requirements of Title VI of the Civil Rights Act of 1964 and regulations issued by the Department of Justice and the Law Enforcement Assistance Administration thereunder as a condition of award of Federal funds and continued grant support. The grantee further must comply with the Justice Department equal employment opportunity regulation in Federally assisted programs, to the end that discrimination in employment practices of State Planning Agencies, law enforcement agencies, and other agencies or offices administering, conducting or participating in any program or activity receiving Federal financial assistance, on the grounds of race, creed, color, sex or national origin, be eliminated. This grant condition shall not be interpreted to require the imposition in State plans or planning agency subgrant programs of any percentage ratio, quota system, or other program to achieve racial balance or eliminate racial imbalance in a law enforcement agency. The United States reserves the right to seek judicial enforcement of this condition.

3. FINANCIAL REPORTS. State Planning Agencies shall submit, such financial reports as may be required, on forms approved by OMB and prescribed by LEAA.

4. INSPECTION AND AUDIT. Accounts and records of the State agency and of local units of government and all other recipients of assistance under this grant, whether by direct grant or contract or by subgrant or subcontract from primary grantees or contractors, which disburse or utilize grant funds, must be accessible to authorized Federal and

State officials for the purpose of audit and examination. Notice of accessibility as set forth in Section 521 of Title I of P.L. 90-351, as amended, must be incorporated in each grant, subgrant, contract, subcontract or other document under which funds are to be disbursed. Where permitted by State consitutional provisions, an annual or biennial audit of the planning and action subgrant program must be accomplished by an appropriate State audit agency, State Planning Agency audit staff or a reputable public accounting firm. To the extent that State and local audit systems are determined by the LEAA to be adequate to insure fiscal accountability, they will be relied upon in lieu of Federal audit of grantee and subgrantee accounts. The Administration shall adhere, in all regards, to the principles enunciated in OMB Circular No. A-73, "Audit of Federal Grants-in-Aid to State and Local Governments."

5. MATCHING REQUIREMENTS. The applicant State will comply with the provisions of P.L. 90-351, as amended, concerning Part C and E funds: (i) money appropriated in the aggregate (Hard Match); (ii) for funds passed through to locals, the State will provide in the aggregate not less than one-half of the non-federal funding (Buy-In); (iii) the percent of all Federal funds granted to the State Planning Agency that will be available to units of general local government will be at least the percent of the State and local law enforcement expenditures funded and expended in the immediately preceding fiscal year by units of general local government (Variable Pass-Through).

6. EQUAL EMPLOYMENT OPPORTUNITY PROGRAM. The SPA certifies that it requires, as a condition for the receipt of LEAA funds, a certification by the subgrantee that it has executed and has on file, an Equal Employment Opportunity Program which conforms with the provisions of 28 CFR 42.301 et seq., subpart E, or in conformity with the foregoing regulation, no Equal Employment Opportunity Program is required.

7. POLITICAL ACTIVITY. The restrictions of the Hatch Act, 5 U.S.C. chap 73 subchapter III concerning political activity by government employees are applicable to State Planning Agency staff members and other State and local government employees whose principal employment is in connection with activities financed, in whole or in part, by Title I grants. Under a 1975 Amendment to the Hatch Act, such State and local government employees now may take an active part in political management and campaigns except they may not be candidates for office.

General Conditions 8 through 22 apply particularly to projects funded in whole or in part with Part E funds, but may apply to projects funded with Part C funds.

8. AVAILABILITY OF FUNDS. State Planning Agencies shall insure that the availability of funds under Part E shall not reduce the amount of funds under Part C which a State would, in the absence of Part E, allocate for the purposes of corrections.

9. CONTROL OF FUNDS AND TITLE TO PROPERTY. The control of Part E funds and Title to Property purchased with Part E funds may not be transferred to private agencies, profit-making or otherwise even though these may be utilized in the implementation of Part E efforts including the purchase of services and Part E funds and property will not be diverted to other than correctional uses.

10. DESIGN TECHNIQUES. The State Planning Agency will insure that Part E projects utilize advanced techniques in the design of Institutions and facilities.

11. CONSTRUCTION CONSULTATION. The State Planning Agency must insure that with respect to construction or renovation of correctional institutions or facilities, that in the planning and development of architectural design or construction drawings the grantee or subgrantee will:

    a. Consult with and provide relevant documents to the National Clearinghouse for Criminal Justice Planning and Architecture, at the University of Illinois.

    b. Obtain a certification of compliance with national standards.

    c. Verify that no funds will be expended until such certification is obtained.

12. REGIONAL SHARING. The State Planning Agency shall insure that where feasible and desirable, provisions will be made for the sharing of correctional institutions and facilities on a regional basis.

13. MAINTENANCE OR UPKEEP OF CORRECTIONAL INSTITUTIONS. The State Planning Agency shall insure that Part E Grant funds will not be used for routine repair, maintenance, or upkeep purposes and further, with respect to construction, acquisition and renovation, may be used only for such institutions and facilities or portions thereof, which substantially provide or contribute to providing confinement or rehabilitation for those charged with or convicted of violation of the law.

14. PERSONNEL STANDARDS. The State Planning Agency shall insure that institutions and facilities receiving Part E funds have personnel standards and programs which reflect advanced practices. The SPA must be award of the personnel standards and programs which the State is seeking in its correctional institutions and facilities and must assure that subgrants of Part E funds will be conditioned in accordance with such standards and programs in order that LEAA may make the determination that satisfactory assurances exist.

15. RECRUITING, ORGANIZATION, TRAINING. To insure that the State is engaging in projects and programs to improve the recruiting, organization, training and education of personnel employed in correctional activities, including those of probation, parole and rehabilitation, the following minimum requirements shall be met in the programs and projects utilizing Part E funds in whole or in part: (i) at least 80 hours recruit training, at the entry into duty or during the first year of tenure, for both guards and correctional officers on the one hand and probation and parole officers on the other and (ii) at least 20 hours of in-service or refresher training per year for all such correctional personnel with more than one year of tenure.

16. NARCOTIC AND ALCOHOLISM TREATMENT. The State Planning Agency shall insure that correctional institutions and facilities, and probation or other supervisory release programs receiving Part E funds shall have suitable programs for the treatment of drug addicts, drug abusers, alcoholics or alcohol abusers.

17. MONITORING THE CORRECTIONAL SYSTEM. The State Planning Agency shall insure that an accurate and complete monitoring of the progress and improvement of the correctional system is developed. The monitoring system for the State corrections shall include the rate of prisoner rehabilitation and rates of recidivism in comparison with previous performance of the State or local correctional systems and current performance of other State and local prison systems not included in this program.

18. PART E ASSURANCE. The State Planning Agency certifies as a condition for receipt of Part E funds for the planning, construction, acquisition, or renovation of adult or juvenile correctional institutions or facilities, that all applicants will demonstrate, to the extent applicable to the particular project presented and area or region to be served by the proposed facility, adherence to the following:

    a. Reasonable use of alternatives to incarceration, including but not limited to referral and bail practices, diversionary procedures, court sentencing practices, comprehensive probation resources, and the minimization of incarceration by State and local parole practices, work-study release or other programs assuring timely release of prisoners under adequate supervision. (Applications should indicate the areas to be served, comparative rates of dispositions for fines, suspended sentences, probation, institutional sentences and other alternatives, and rates of parole.)

b. Special provision for the treatment, particularly in community-based programs, of alcohol and drug abusers.

c. Architectural provision for the complete separation of juvenile, adult female, and adult male offenders.

d. Specific study for the feasibility of sharing facilities on a regional (multi-State or multi-county or regional within States, as appropriate) basis.

e. Architectural design of new facilities providing for appropriate correctional treatment programs, particularly those involving other community resources and agencies.

f. Willingness to accept in the facilities persons charged with or convicted of offenses against the United States, subject to negotiated contract agreements with the Bureau of Prisons.

19. CONDITIONS APPLICABLE TO ALL CONSTRUCTION AND RENOVATION PROGRAM GRANTS. Subgrants of Part E funds for facilities construction or renovation, regardless of size, shall require that architectural and other needed professional services shall be obtained upon the basis and consideration of professional competence to deliver the required services. Contractual fee obligations for such services shall be in accordance with the prevailing suggested fee schedules of recognized professional organizations.

20. SPECIAL REVIEW OF CONSTRUCTION PROGRAMS. In conformity with Section 522 of the Act, the State will not release any grant funds for plans or programs involving the acquisition or construction of law enforcement facilities, without submission of such programs to area-wide agencies as provided in Section 204(a) of the Demonstration Cities and Metropolitan Development Act of 1966 for receipt of comments and recommendations.

21. CONDITIONS APPLICABLE TO LARGE CONSTRUCTION PROGRAM GRANTS. Subgrants of Part E funds for construction or facilities which require letting a contract amounting to $100,000 or more to a private company or individual must require a bid guarantee equivalent to 5 percent of the bid price, a performance bond on the part of the contractor for 100 percent of the contract price and a payment bond on the part of the contractor for 100 percent of the contract price.

22. CONDITIONS APPLICABLE TO ALL CONSTRUCTION PROGRAM GRANTS. Subgrants of Part E funds for construction purposes shall be accompanied by a statement of objectives of the proposed facilities, architectural programs, schematics, outline specifications and cost estimates; and, shall include a certification of the manner and means through which needed constructural services (site preparation, utility through which building construction purchases of equipment and fixture, etc.) will be obtained in accordance with the applicable provisions of appropriate State and/or local law, rules or regulations.

23. GRANTS FOR CONSTRUCTION. The applicant hereby agrees that it will incorporate or cause to be incorporated into any contract for construction work, or modification thereof, as defined in the regulations of the Secretary of Labor at 41 CFR chapter 60, which is paid for in whole or in part with funds obtained from the Federal government or borrowed on the credit of the Federal government pursuant to a grant, contract, loan, insurance, or guarantee, or undertaken pursuant to any Federal program involving such grant, contract, loan, insurance, or guarantee, the following equal employment opportunity clause:

During the performance of the contract, the contractor agrees as follows:

a. The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to insure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer, recruitment or recruitment advertising; layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of the nondiscrimination clause.

b. The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.

c. The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representative of the contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

d. The contractor will comply with all provisions for Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

e. The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

f. In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be cancelled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts or Federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

g. The contractor will include the portion of the sentence immediately preceding paragraph (a) and the provisions of paragraphs (a) through (g) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance: Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the administering agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

The applicant further agrees that it will be bound by the above equal employment opportunity clause with respect to its own employment practices when it participates in Federally assisted construction work: Provided, that if the applicant so participating is a State or local government, the above equal employment opportunity clause is not applicable to any agency, instrumentality or subdivision of such government which does not participate in work on or under the contract.

The applicant agrees that it will assist and cooperate actively with the administering agency and the Secretary of Labor in obtaining the compliance of contractors and subcontractors with the equal employment opportunity clause and the rules, regulations, and relevant orders of the Secretary of Labor, that it will furnish the administering agency and the Secretary of Labor such information as they may require for the supervision of such compliance, and that it will otherwise assist the administering agency in the discharge of the agency's primary responsibility for securing compliance.

The applicant further agrees that it will refrain from entering into any contract or contract modification subject to Executive Order 11246 of September 24, 1965, with a contractor debarred from, or who has not demonstrated eligibility for Government contracts and Federally assisted construction contracts pursuant to the Executive Order and will carry out such sanctions and penalties for violation of the equal employment opportunity clause as may be imposed upon contractors and subcontractors by the administering agency or the Secretary of Labor pursuant to Part II, Subpart D of the Executive Order. In addition, the applicant agrees that if it fails or refuses to comply with these undertakings, the administering agency may take any or all of the following actions: Cancel, terminate, or suspend in whole or in part this grant (contract, loan, insurance, guarantee); refrain from extending any further assistance to the applicant under the program with respect to which the failure or refund occurred until satisfactory assurance of future compliance has been received from such applicant; and refer the case to the Department of Justice for appropriate legal proceedings.

24. BUILDING ACCESS FOR PHYSICALLY HANDICAPPED. Any building construction funded under Part E allocations and for which there is an intended use that will require that such building or facility be accessible to the public or may result in the employment or residence therein of physically handicapped persons must be so constructed as to assure that physically handicapped persons will have ready access to, and use of such buildings.

25. RELEASE OF INFORMATION. Pursuant to Section 521 of the Act, as amended, all records, papers and other documents kept by recipients of LEAA funds, including State Planning Agencies and their subgrantees and contractors, relating to the receipt and disposition of such funds, are required to be made available to the Administration. These records and other documents submitted to LEAA and State Planning Agencies pursuant to other provisions of the Act, including Comprehensive State Plans and applications for funds, are required to be made available by LEAA under the terms and conditions of the Federal Freedom of Information Act (5 U.S.C. 552). State Planning Agencies must follow applicable LEAA Guidelines as set forth in the LEAA Guideline Manual M 4100.1D, paragraph 32 on release of information and State Planning Agency procedures designed to facilitate local government participation.

26. INFORMATION SYSTEMS. In respect to programs related to Criminal Justice Information Systems, the grantee agrees to insure that adequate provisions are made for system security, the protection of individual privacy and the insurance of the integrity and accuracy of data collection. The grantee further agrees:

a. That all computer software produced under this grant will be made available to the Law Enforcement Assistance Administration for transfer to authorized users in the criminal justice community without cost other than that directly associated with the transfer. Systems will be documented in sufficient detail to enable a competent data processing staff to adapt the system, or portions thereof, to usage on a computer of similar size and configuration, of any manufacturer.

b. To provide a complete copy of documentation to the cognizant Regional Office, upon request, and a complete copy to the Systems Development Division, National Criminal Justice Information and Statistics Service, Law Enforcement Assistant Administration. Documentation will include, but not be limited to System Description, Operating Instructions, User Instructions, Program Maintenance Instructions, input forms, file descriptions, report formats, program listings and flow charts for the system and programs.

c. That whenever possible all application programs will be written in ANS COBOL in order that they may be transferred readily to another authorized user. Where the nature of the task requires a scientific programming language, ANS FORTRAN should be used.

d. To avail himself, to the maximum extent practicable, of computer software already produced and available without charge. To insure that reasonable effort is extended in this area, LEAA publications and Regional Systems Specialists should be consulted.

27. CRIMINAL PENALTIES.

a. Whoever embezzles, willfully misapplies, steals, or obtains by fraud or endeavors to embezzle, willfully misapply, steal or obtain by fraud any funds, assets, or property which are the subject of a grant or contract or other form of assistance pursuant to this title, whether received directly or indirectly from the Administration, or whoever receives, conceals, or retains such funds, assets, or property with intent to convert such funds, assets, or property to his use or gain, knowing such funds, assets, or property have b been embezzled, willfully misapplied, stolen, or obtained by fraud, shall be fined not more than $10,000 or imprisoned not more than five years, or both.

b. Whoever knowingly and willfully falsifies, conceals, or covers up by trick, scheme, or device, any material fact in any application for assistance submitted pursuant to this title or in any records required to be maintained pursuant to this title shall be subject to prosecution under the provisions of section 1001 of title 18, United States Code.

c. Any law enforcement and criminal justice program or project underwritten, in whole or in part, by any grant, or contract or other form of assistance pursuant to this title, whether received directly or indirectly from the Administration, shall be subject to the provisions of section 371 of title 18, United States Code.

28. CLEAN AIR ACT AND FEDERAL WATER POLLUTION CONTROL ACT VIOLATION. In accordance with the provisions of the Clean Air Act (42 U.S.C. 1857), as amended by P.L. 91-604, the Federal Water Pollution Control Act (33 U.S.C. 1251, et. seq.) as amended by P.L. 92-500 and Executive Order 11738, subgrants or contracts will not be made to parties convicted of offenses under these laws.

29. RELOCATION PROVISIONS. In conformance with the Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970, P.L. 91-646, the State Planning Agency shall assure that any program under which LEAA financial assistance must be used to pay all or part of the cost of any program or project which will result in displacement of any personal shall provide that:

a. Fair and reasonable relocation payments and assistance shall be provided to or for displaced persons as are required in such regulations as are issued by the Attorney General.

b. Relocation and assistance programs shall be provided for such persons in accordance with such regulations issued by the Attorney General.

c. Within a reasonable period of time prior to displacement, decent, safe and sanitary replacement must be available to the displaced person in accordance with such regulations as issued by the Attorney General.

d. Those persons affected by these provisions will be adequately informed of the available benefits, policies, and procedures relating to the payment of these benefits.

NOTE: For amplification of the Relocation Provisions see LEAA Guideline Manual M 4100.1D, paragraph 31 and LEAA Guideline Manual M 4061.1B.

30. ENVIRONMENTAL IMPACT. Any application for subgrants, subcontracts, etc., involving those actions listed in paragraph 28a, M 4100.1D, must include either an environmental evaluation or a detailed environmental analysis as required by Section 102(2)(C) of the National Environmental Policy Act. Before accepting an environmental evaluation the LEAA Regional Administrator shall make certain that questions are adequately answered, the document has been reviewed by the necessary clearinghouses and a determination can be made of the project's environmental impact. Following this determination, an environmental impact statement or negative declaration, as appropriate, shall be issued.

31. HISTORIC SITES. Before approving subgrant programs involving construction, renovation, purchasing or leasing of facilities the State Planning Agnecy shall consult with the State Historic Preservation Officer for historic preservation to determine if the undertaking may have an effect on properties listed in the National Register of Historic Places or properties eligible for the National Register. If the undertaking may have an effect, the State Planning Agency must follow the procedures outlined in LEAA Guideline Manual M 4100.1D.

32. USE OF AIRPLANES AND HELICOPTERS. Airplanes and helicopters purchased in whole or in part with grant funds must be used for the purposes stated in the application and may not be used for non-law enforcement purposes by State and local officials.

33. EDUCATIONAL SUPPORT. No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving LEAA financial assistance with the exception of the qualifications set forth in Title IX, Section 901(a) of Public Law 92-318 (86 Stat. 373).

34. PUBLISHED MATERIAL. All published material and written reports submitted under this grant or in conjunction with contracts under this grant must be originally developed material unless otherwise specifically provided in the grant or contract document. When material, not originally developed, is included in the report, it must have the source identified. This identification may be in the body of the report or by footnote. This provision is applicable when the material is in a verbatim or extensive paraphase format.

35. APPLICABILITY. By appropriate language incorporated in each grant, subgrant, contract, subcontract, or other documents under which funds are to be disbursed, the grantee shall assure that these conditions apply to all recipients of assistance.

36. MEDICAL RESERACH AND PSYCHOSURGERY. The applicant agrees to comply with the provisions of LEAA Guideline G 6060.1A.

37. REPROGRAMMING OF FUNDS. The State Planning Agency on its own cognizance may reprogram funds among action programs to a cumulative amount of 15 percent of any action program of $10,000 whichever is greater. Reprogramming of funds in excess of the above limits requires prior approval of the cognizant LEAA Regional Office.

38. FLOOD DISASTER PROTECTION. In accord with Section 202(a) of the Flood Disaster Protection Act of 1973, no Federal agency may approve any financial assistance for construction purposes after July 1, 1975 for use in any area identified by the Secretary of the Department of Housing and Urban Development (HUD) as an area having special flood hazards unless the community in the hazardous area is then participating in the National Flood Insurance Program.

39. CONFIDENTIALITY OF RESEARCH INFORMATION. Research information identifiable to an individual, which was obtained through a project funded wholly or in part with LEAA funds, shall remain confidential and copies of such information shall be immune from legal process, and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding, pursuant to section 524(a) of the Omnibus Crime Control and Safe Streets Act of 1968 as amended.

40. BUDGET ACT. This grant award, or portion thereof, is conditional upon subsequent congressional or executive action which may result from Federal budget deferral or recision actions pursuant to the authority contained in Sections 1012(a) and 1013(a) of the Congressional Budget and Impoundment Control Act of 1974, 31 U.S.C. 1301, Pub. L. 93-344, 88 Stat. 297 (July 12, 1974).

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INTRODUCTION

Introduction

In an effort to be comprehensive, the following introduction to the 1976 Montana plan briefly describes various aspects of the contents of this document as well as the development process and the coordination and integration of the plan and its major sections.

The goal of the Montana Board of Crime Control (MBCC) is simply stated, yet not simplistic: To reduce crime and delinquency in Montana. Within this general goal statement lie many sub-goals, objectives, and tasks.

Methods of achievement of the goal gradually change as we work from systems improvement toward crime-oriented planning.

Initially, goal achievement was attempted through setting priorities and standards, and meeting the standards.

As the state planning agency (SPA) and planning process becomes more sophisticated, the method of goal achievement remains the same; however, the standard-setting process is improved and priorities vary. There is a constant attempt to update and improve. The National Advisory Commission on Standards and Goals and the current Montana standards and goals development process will be an invaluable aid.

The Montana standards and goals development process is being undertaken at this time and plans are being made for the integration of approved standards and goals with the existing goals, standards, and priorities of the Board of Crime Control.

An overview of the planning process will describe current methods being used and will also incorporate some of the latest information on effective planning that will be utilized in future efforts.

The following general planning process model in use now was developed by the Criminal Justice Planning Institute at the University of Southern California. It includes eleven primary steps:

1. preparing for planning
2. perceiving present situation
3. determining projections and anticipations
4. considering alternative system futures
5. defining problems

6. setting goals

7. identifying alternative courses of action

8. selecting preferred alternatives

9. planning for implementation

10. implementing plans

11. monitoring and evaluating progress

In following this general planning process, input is received from MBCC staff planners, evaluators, information system personnel, and the finance officer. In addition, information and support are gained from the 5 regional advisory councils and regional field personnel. Information from a consumer survey and provider input are also carefully considered.

When the decision-making process is completed, all of the planning efforts including budgets are presented to the MBCC planning committee for review, approval, and modification if necessary, and subsequently to the Montana Board of Crime Control for the same action.

Analysis of crime in Montana is developed by the Research and Design Bureau and plays an important part in planning. Crime analysis and crime projections will play an even more important part in future as we continue to develop improved techniques.

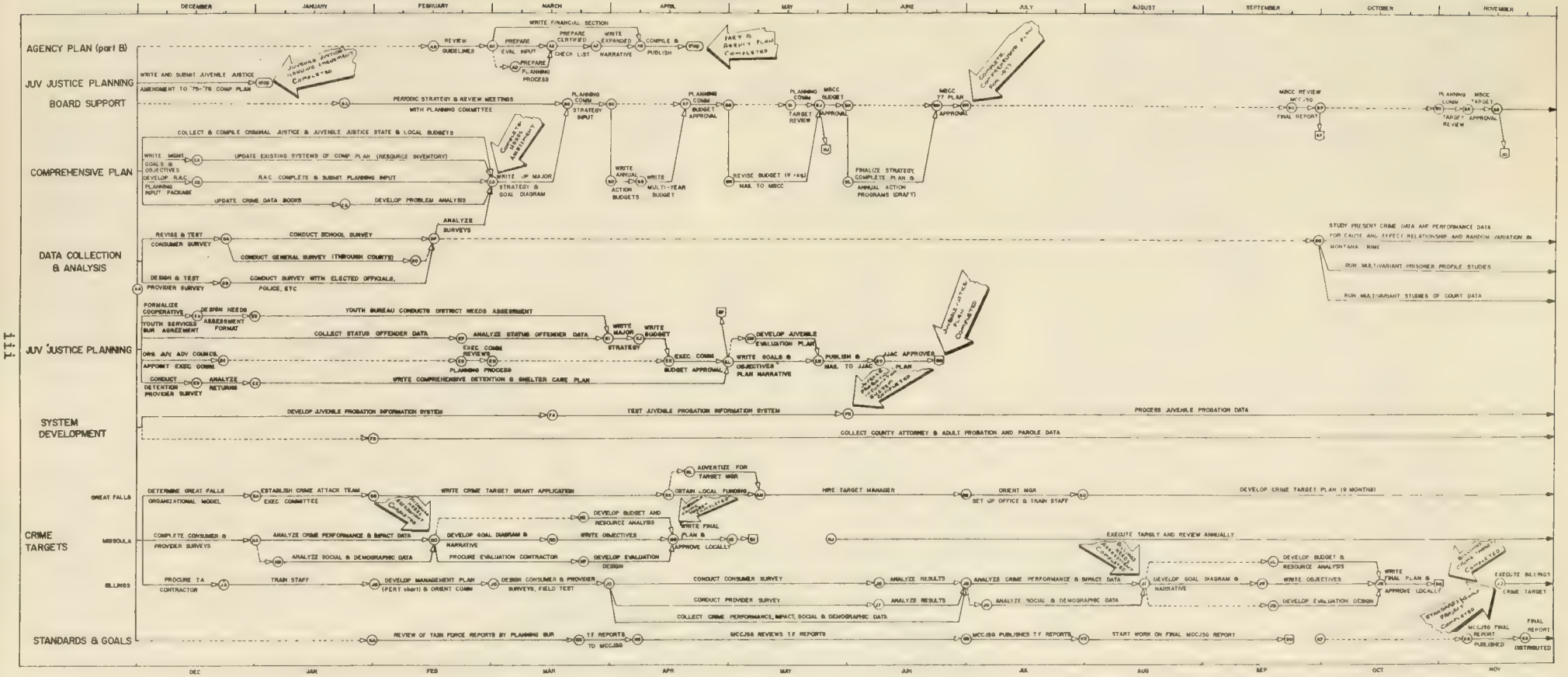
By utilizing effective planning in conjunction with accurate crime analysis, we stand a better chance of correctly forecasting a potential or ideal criminal justice system, and of being better prepared to meet actuality.

With the idea of working toward the ideal system, improved management and management techniques are important. The Board of Crime Control is implementing a results-oriented approach called management by objectives. The MBO system provides objective criteria for measuring the success of the system by its impact on crime and establishes accountability. The MBCC management plan for 1976 accompanies this introduction (illustration a).

As an integral part of the state planning agency's responsibility, technical assistance capabilities are of primary importance. The agency recognizes this need and is currently upgrading its ability to provide technical assistance to state and local criminal justice agencies in the areas of planning, evaluation, financial management, system improvement, and information services in a consistent, timely, and economical fashion.

ILLUSTRATION a

1976 MBCC MANAGEMENT PLAN


DECEMBER
JANUARY
FEBRUARY
MARCH
APRIL
MAY
JUNE
JULY
AUGUST
SEPTEMBER
OCTOBER
NOVEMBER
AGENCY PLAN (part B)
JUV JUSTICE PLANNING BOARD SUPPORT
COMPREHENSIVE PLAN
DATA COLLECTION & ANALYSIS
JUV JUSTICE PLANNING
SYSTEM DEVELOPMENT
CRIME TARGETS
GREAT FALLS
MISSOULA
BILLINGS
STANDARDS & GOALS
WRITE FINANCIAL SECTION
PREPARE EVAL INPUT
PREPARE CERTIFIED CHECK LIST
WRITE EXPANDED NARRATIVE
PREPARE PLANNING PROCESS
REVIEW GUIDELINES
COMPILE & PUBLISH
PLAN IS ABOUT COMPLETED
WRITE AND SUBMIT JUVENILE JUSTICE AMENDMENT TO '75-'76 COMP PLAN
PERIODIC STRATEGY & REVIEW MEETINGS WITH PLANNING COMMITTEE
PLANNING COMM STRATEGY INPUT
PLANNING COMM BUDGET APPROVAL
PLANNING COMM TARGET REVIEW
MBCC BUDGET APPROVAL
MBCC '77 PLAN APPROVAL
MBCC REVIEW MCCJSG FINAL REPORT
PLANNING MBCC LUNCH TARGET APPROVAL REVIEW
COLLECT & COMPILE CRIMINAL JUSTICE & JUVENILE JUSTICE STATE & LOCAL BUDGETS
WRITE MGMT GOALS & OBJECTIVES
UPDATE EXISTING SYSTEMS OF COMP PLAN (RESOURCE INVENTORY)
DEVELOP RAC PLANNING INPUT PACKAGE
RAC COMPLETE & SUBMIT PLANNING INPUT
UPDATE CRIME DATA BOOKS
DEVELOP PROBLEM ANALYSIS
WRITE UP MAJOR STRATEGY & GOAL DIAGRAM
WRITE ANNUAL ACTION BUDGETS
WRITE MULTI-YEAR BUDGET
REVISE BUDGET (if req) MAIL TO MBCC
FINALIZE STRATEGY, COMPLETE PLAN & ANNUAL ACTION PROGRAMS (DRAFT)
REVISE & TEST CONSUMER SURVEY
CONDUCT SCHOOL SURVEY
CONDUCT GENERAL SURVEY (THROUGH COURTS)
DESIGN & TEST PROVIDER SURVEY
CONDUCT SURVEY WITH ELECTED OFFICIALS, POLICE, ETC
ANALYZE SURVEYS
STUDY PRESENT CRIME DATA AND PERFORMANCE DATA FOR CAUSE AND EFFECT RELATIONSHIP AND RANDOM VARIATION IN MONTANA CRIME
RUN MULTIVARIANT PRISONER PROFILE STUDIES
RUN MULTIVARIANT STUDIES OF COURT DATA
FORMALIZE COOPERATIVE YOUTH SERVICES BUR AGREEMENT
DESIGN NEEDS ASSESSMENT FORMAT
YOUTH BUREAU CONDUCTS DISTRICT NEEDS ASSESSMENT
COLLECT STATUS OFFENDER DATA
ANALYZE STATUS OFFENDER DATA
WRITE MAJOR STRATEGY
WRITE BUDGET
ORG JUV ADV COUNCIL
APPOINT EXEC COMM
EXEC COMM REVIEWS PLANNING PROCESS
EXEC COMM BUDGET APPROVAL
DEVELOP JUVENILE EVALUATION PLAN
WRITE GOALS & OBJECTIVES PLAN NARRATIVE
PUBLISH & MAIL TO JJAC
JJAC APPROVES PLAN
JUVENILE JUSTICE PLAN COMPLETED
CONDUCT DETENTION PROVIDER SURVEY
ANALYZE RETURNS
WRITE COMPREHENSIVE DETENTION & SHELTER CARE PLAN
DEVELOP JUVENILE PROBATION INFORMATION SYSTEM
TEST JUVENILE PROBATION INFORMATION SYSTEM
PROCESS JUVENILE PROBATION DATA
COLLECT COUNTY ATTORNEY & ADULT PROBATION AND PAROLE DATA
DETERMINE GREAT FALLS ORGANIZATIONAL MODEL
ESTABLISH CRIME ATTACK TEAM EXEC COMMITTEE
WRITE CRIME TARGET GRANT APPLICATION
ADVERTIZE FOR TARGET MGR
OBTAIN LOCAL FUNDING
HIRE TARGET MANAGER
ORIENT MGR SET UP OFFICE & TRAIN STAFF
DEVELOP CRIME TARGET PLAN (9 MONTHS)
COMPLETE CONSUMER & PROVIDER SURVEYS
ANALYZE CRIME PERFORMANCE & IMPACT DATA
ANALYZE SOCIAL & DEMOGRAPHIC DATA
DEVELOP GOAL DIAGRAM & NARRATIVE
WRITE OBJECTIVES
DEVELOP BUDGET & RESOURCE ANALYSIS
WRITE FINAL PLAN & APPROVE LOCALLY
PROCURE EVALUATION CONTRACTOR
DEVELOP EVALUATION DESIGN
EXECUTE TARGET AND REVIEW ANNUALLY
PROCURE TA CONTRACTOR
TRAIN STAFF
DEVELOP MANAGEMENT PLAN (PERT chart) & ORIENT COMM
DESIGN CONSUMER & PROVIDER SURVEYS, FIELD TEST
CONDUCT CONSUMER SURVEY
ANALYZE RESULTS
CONDUCT PROVIDER SURVEY
COLLECT CRIME PERFORMANCE, IMPACT, SOCIAL & DEMOGRAPHIC DATA
EXECUTE BILLINGS CRIME TARGET
REVIEW OF TASK FORCE REPORTS BY PLANNING BUR
TF REPORTS TO MCCJSG
MCCJSG REVIEWS TF REPORTS
MCCJSG PUBLISHES TF REPORTS
START WORK ON FINAL MCCJSG REPORT
MCCJSG FINAL REPORT PUBLISHED
FINAL REPORT DISTRIBUTED
DEC
JAN
FEB
MAR
APR
MAY
JUN
JUL
AUG
SEP
OCT
NOV

Assistance must also be kept in mind in the problem areas of alcohol and drugs. It has been Board policy in the past to coordinate and work closely with the Alcohol Services Division and the Addictive Diseases Unit, now of the Montana Department of Institutions, to address this area of concern. Institutional facilities are also being upgraded as an increasing alcohol and drug problem is recognized.

This problem, along with all others in the state criminal justice system, is being attacked primarily through the effective use of Law Enforcement Assistance Administration (LEAA) funds. In this context every effort is being made to extract state and local budget data and expenditures for inclusion in the plan with the idea of showing how LEAA dollars complement state and local dollars. This year's effort will be improved upon in future plans. All available data to date is presented throughout this document.

As a more thorough depiction of how LEAA funds complement state and local funds progresses, a better utilization of costs methodology can be undertaken. It has been a general policy of the Board in the past (excluding a few projects) that assumption of program and project costs will be undertaken on or before the third year of continuation funding. More specific policy is now being reviewed for adoption to assume program costs.

Although specific project costs are being assumed, innovative projects are being introduced with a clear intention toward maintenance of effort.

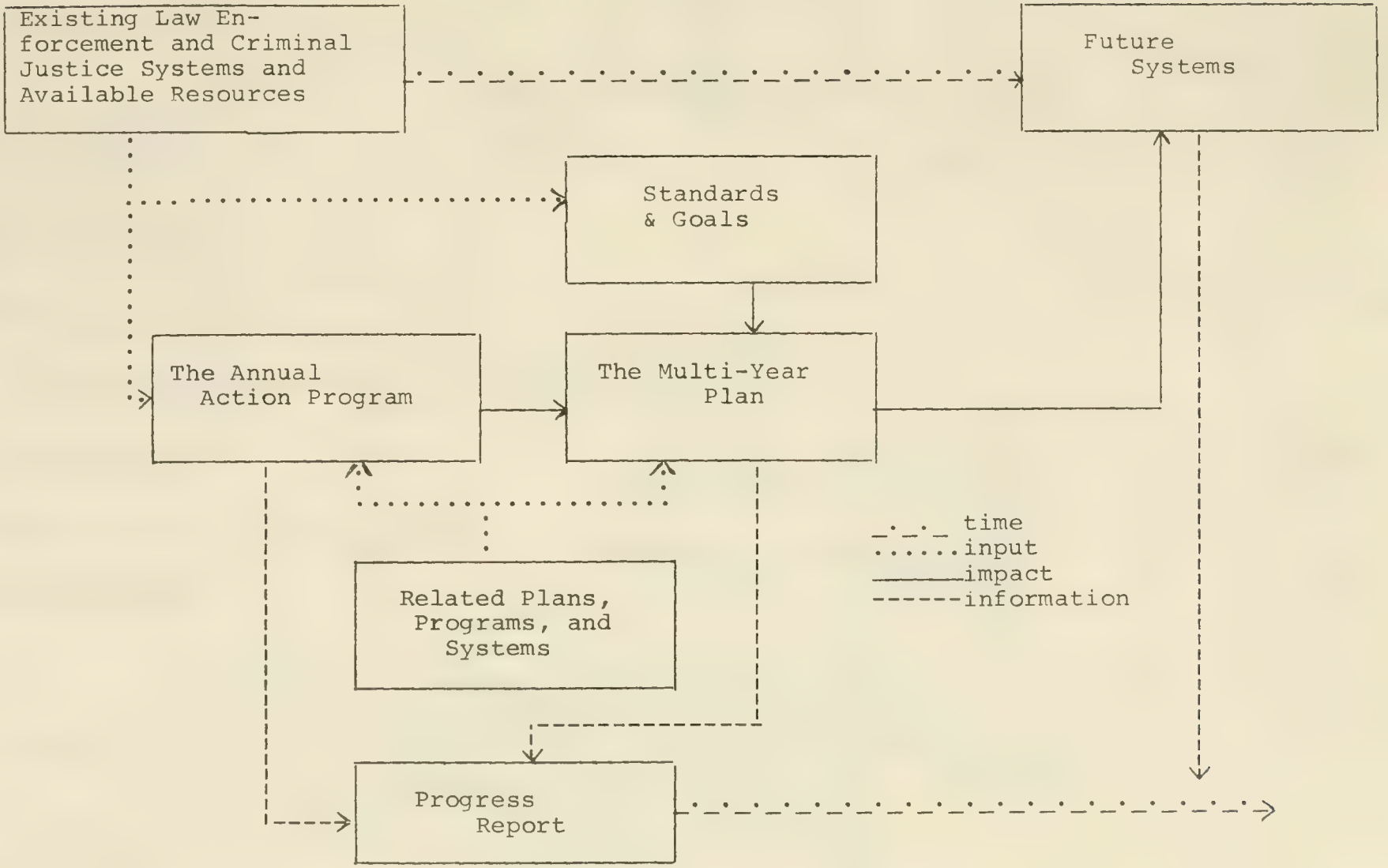
More specifically, maintenance of effort is continuing in the juvenile justice area. The Board of Crime Control has elected to participate in the Juvenile Justice and Delinquency Act of 1974. In keeping with this decision, the Board has made a commitment to expand its planning efforts to comply with the requirements of this Act. Additional staff has been hired, and arrangements are being made to establish a Juvenile Justice Advisory Council. The staff is also working on developing a working relationship with several other state agencies to establish a cooperative planning effort. This will provide for a more comprehensive plan and will reduce problems of duplication of services. A mechanism for involving local and private agencies in plan development and implementation will be a critical component of this system. All this is in addition to existing juvenile programs found throughout this plan.

The planning process utilized for this plan flows through the 5 major sections. The relationship of these components to each other is shown in Illustration b.

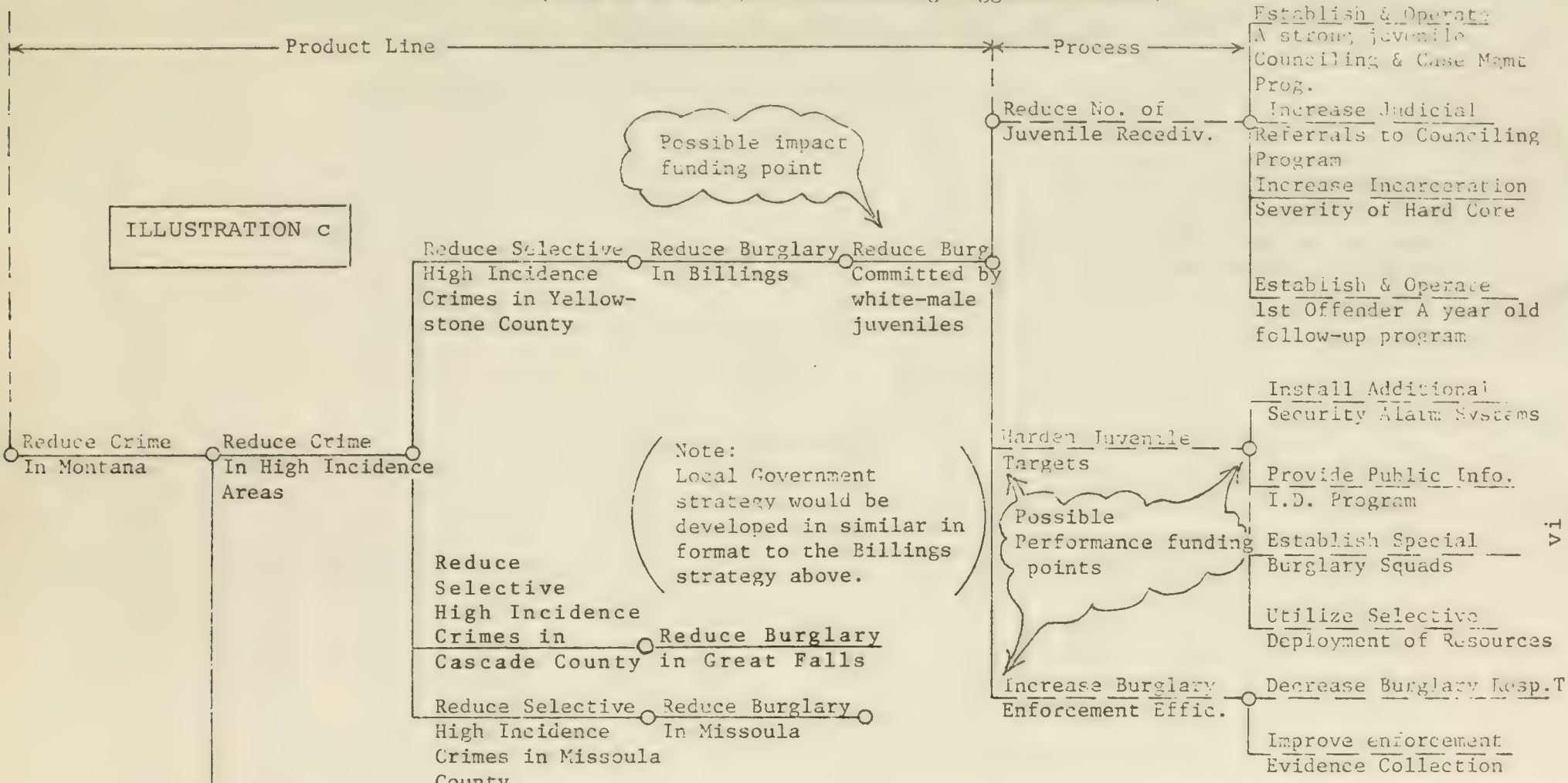
Illustration b

DEVELOPMENT PROCESS FOR COMPREHENSIVE PLAN

SHOWING COORDINATION AND INTEGRATION OF THE MAJOR SECTIONS



MBCC STRATEGIC PLAN
(This is an example illustrating suggested format)


Product Line
Process
ILLUSTRATION c
Reduce Crime In Montana
Reduce Crime In High Incidence Areas
Reduce Selective High Incidence Crimes in Yellow-stone County
Reduce Burglary In Billings
Reduce Burg Committed by white-male juveniles
Possible impact funding point
Reduce No. of Juvenile Recediv.
Establish & Operate A strong juvenile Counciling & Case Mgmt Prog.
Increase Judicial Referrals to Counciling Program
Increase Incarceration Severity of Hard Core
Establish & Operate 1st Offender A year old follow-up program
Note: Local Government strategy would be developed in similar in format to the Billings strategy above.
Reduce Selective High Incidence Crimes in Cascade County
Reduce Burglary in Great Falls
Reduce Selective High Incidence Crimes in Missoula County
Reduce Burglary In Missoula
Harden Juvenile Targets
Install Additional Security Alarm Systems
Provide Public Info. I.D. Program
Possible Performance funding points
Establish Special Burglary Squads
Utilize Selective Deployment of Resources
Increase Burglary Enforcement Effic.
Decrease Burglary Resp.T
Improve enforcement Evidence Collection
Improve the Criminal Justice System
Improve Mgmt of Criminal Justice System
Install & Utilize Results Mgmt (MBO) In MBCC
Provide Assist-ance to local gov't for in-stalling & utili-lizing results mgmt.
Increase Juvenile Disposition Effectiveness in Schools
Increase Prob. Staff Effect-ness
Follow-up Counciling
Increase Prob. Officer Staff
Clinical T.A. Training for Prob. Off.
Improve Court Disposition Effectiveness
Improve Juv. Court Dispo. Effectiveness
Improve Intake
Develop Efficient Methods
Improve Juvenile Disposition Recommd. from prob. staff
Increase Prob. Officer Staff
Model Intake Facility
Obtain & Develop Staff
Secure & Equip Office
Develop Intake Operating Plan
Etc.

A more detailed effort to show development of the strategic plan and the coordination and integration of the plan components in a concise way is shown in Illustration c. It may be related to the sections of the plan discussing crime analysis and high crime incidence areas.

For purposes of reference throughout this plan, the following is a definition of recidivism that the Board of Crime Control uses in planning, statistical analyses, and wherever else the term is used:

> Recidivism is measured by (1) criminal acts that resulted in conviction by a court, when committed by individuals who are under correctional supervision or who have been released from correctional supervision within the previous three years, and by (2) technical violations of probation or parole in which a sentencing or paroling authority took action that resulted in an adverse change in the offender's legal status.

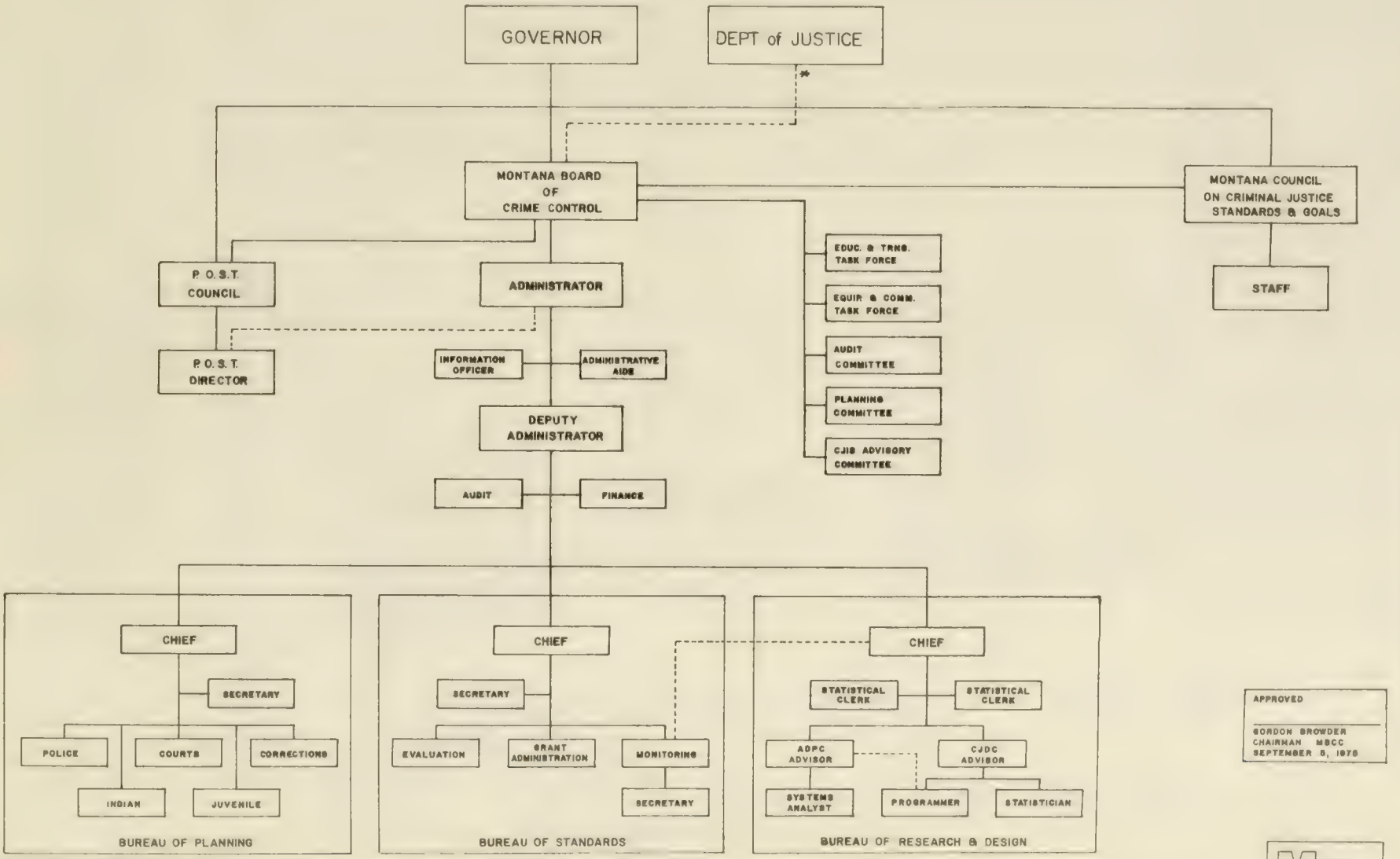
Illustration d is an organizational chart of the Montana Board of Crime Control.

Montana Board of Crime Control
Bureau of Planning

Illustration d

MONTANA

BOARD OF CRIME CONTROL



* EXECUTIVE REORGANIZATION 1973
ADMINISTRATIVE PURPOSES ONLY

About Montana. . .

Until recently in American history, the Treasure State was considered the last frontier of the "Old West." Primarily rural Montana is now in the midst of rapid change--exploitation as a major source of fossil fuel and primary metals, growing industry and population, and increase as an attraction for tourists who come to enjoy the beauty of its mountain scenery.

Of the fifty states it ranks 47th in population density (4.8 per square mile). Montana's sparse population is becoming increasingly urban: according to the 1970 census, 53.4% (or 370,676) of the state's population lived in urban areas, an increase of 3.2% over the figures of the previous census. In 1970, one-third of the state's people lived outside the six major population centers of Billings, Great Falls, Butte, Helena, Bozeman, and Missoula. Two-thirds were spread throughout the wilderness, range, and agricultural lands that make up the rest of the state.

Population breakdown (1970) shows 95.5% white, .03% black, and 4.2% other. There are seven Indian reservations with enrollment of 36,443. Another 27,130 Indians live off reservations.

The average Montanan has completed 12.3 years of education, with 3.2% having less than 5 years and 7.41% having 16 or more years. In 1970, public high schools reported a 17.3% dropout rate.

Montana ranks 41st among the states in per capita personal income ($2,917), with government (18%), wholesale and retail trade (17%), agriculture (16%), services (13%), and manufacturing (11%) the leading sectors of the economy.

Montana ranks 4th in area (145,587 square miles), its terrain ranging from mountainous--the Continental Divide meanders through the western portion of the state--to plains, and its vast size affords a variety of temperatures and environments. In fact, the topography of the state presents particular problems to law enforcement efforts in that the mountains inhibit radio communication, the variable climatic conditions can be hazardous to regular patrol duties, and the great distances that must be covered make for long patrols.

PART ONE: EXISTING SYSTEMS, AVAILABLE RESOURCES, AND ANALYSIS OF FUNDING

SECTION A: CRIME ANALYSIS

Analysis of Crime in Montana

Two sources of crime statistics and crime data are available for Montana: the FBI Uniform Crime Reporting System, which deals primarily in offenses known to police, and the Montana Board of Crime Control's Criminal Justice Data Center, which compiles crime data on offenses, arrests, court actions, and corrections. Summaries of this crime data are available on a quarterly basis for every contributing law enforcement agency as well as the state as a whole.

In 1974, Montana's population was estimated at 735,000, up 5.85 percent from the 1970 census. According to the 1974 FBI Uniform Crime report, Montana's crime rate is 4,084 per 100,000 population. This rate is somewhat lower than the 4,821 per 100,000 crime rate for the United States and lower than 28 other states, as shown in Table A-1. Over the last three years, Montana's crime rate has moved from 36th place in 1972 to 32nd place in 1973 and to 28th place among the states in 1974.

Table A-1
Crime Rate by State 1974
(Rate Per 100,000)

	State	Rate		State	Rate
1.	Arizona	8222	25.	Ohio	4223
2.	Nevada	7827	26.	South Carolina	4165
3.	Florida	7387	27.	Oklahoma	4096
4.	California	6847	28.	MONTANA	4084
5.	Michigan	6520	29.	Idaho	4083
6.	Oregon	6345	30.	Minnesota	3931
7.	Colorado	6166	31.	Georgia	3912
8.	Hawaii	6072	32.	Louisiana	3816
9.	Washington.	6009	33.	Virginia	3815
10.	Delaware	5950	34.	Tennessee	3659
11.	Maryland	5650	35.	Wyoming	3650
12.	Massachusetts	5383	36.	Wisconsin	3641
13.	Alaska	5240	37.	Maine	3600
14.	New Mexico	5213	38.	North Carolina	3511
15.	Illinois	5184	39.	Iowa	3414
16.	Rhode Island	5114	40.	Nebraska	3344
17.	Utah	4950	41.	Arkansas	3301
18.	New York	4857	42.	New Hampshire	3144
	UNITED STATES	4821	43.	Pennsylvania	3054
19.	Missouri	4788	44.	Alabama	3000
20.	New Jersey	4772	45.	Vermont	2875
21.	Texas	4695	46.	Kentucky	2760
22.	Connecticut	4407	47.	South Dakota	2671
23.	Indiana	4337	48.	Mississippi	2249
24.	Kansas	4300	49.	North Dakota	2160
			50.	West Virginia	1769

Montana's crime rate increased 20.3 percent from 1973 to 1974. This was the 17th highest increase among the 50 states. The national crime rate increase over the previous year was 16.7%. This is shown in Table A-2.

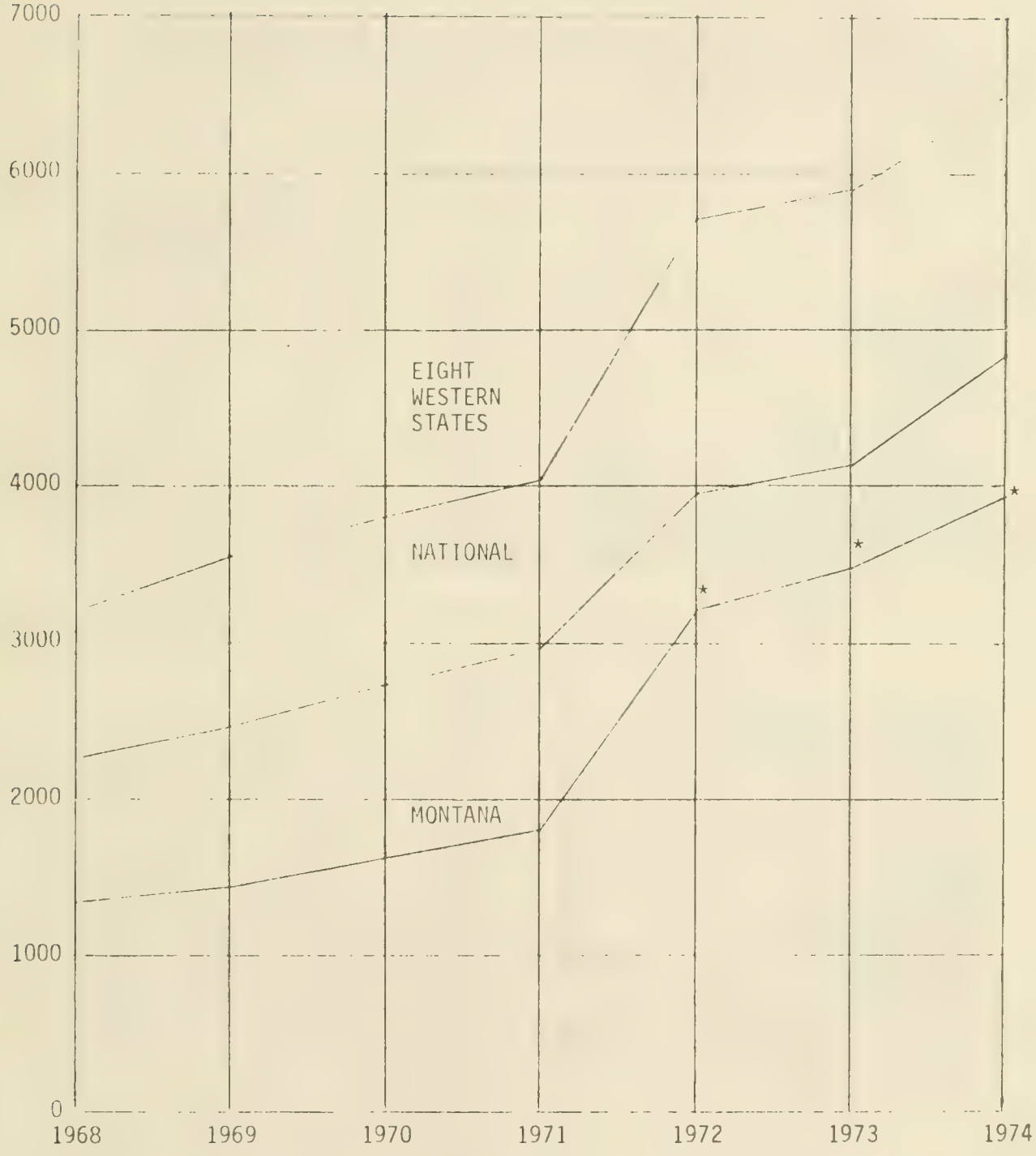
Table A-2
Percent Increase in Crime Rate by State
1973 - 1974

	State	% Increase		State	% Increase
1.	Maine	41.5	26.	Michigan	18.8
2.	New Hampshire	35.0	27.	Oklahoma	18.2
3.	Arkansas	30.0	28.	Washington	18.1
4.	Delaware	29.8	29.	Idaho	18.1
5.	South Carolina	25.2	30.	Nevada	18.0
6.	North Carolina	24.9	31.	Maryland	17.9
7.	Pennsylvania	24.2	32.	Virginia	17.8
8.	Florida	23.9	33.	New Jersey	16.9
9.	South Dakota	22.8	34.	Mississippi	16.8
10.	Indiana	22.7	35.	Utah	16.6
11.	Arizona	22.6	36.	Texas	16.0
12.	Kansas	22.4	37.	Missouri	15.6
13.	Hawaii	22.4	38.	Vermont	15.1
14.	Kentucky	21.9	39.	Wisconsin	14.6
15.	Ohio	20.8	40.	Georgia	14.1
16.	Iowa	20.6	41.	New York	12.8
17.	MONTANA	20.3	42.	Colorado	12.2
18.	West Virginia	20.2	43.	Louisiana	12.1
19.	Connecticut	20.1	44.	Minnesota	11.2
20.	Illinois	19.9	45.	New Mexico	10.7
21.	Oregon	19.8	46.	Rhode Island	9.3
22.	Tennessee	19.6	47.	California	8.6
23.	Alabama	19.4	48.	Wyoming	6.9
24.	Massachusetts	19.1	49.	Alaska	6.0
25.	Nebraska	19.0	50.	North Dakota	4.0

In 1972, the FBI Uniform Crime Reporting system adopted a total larceny-theft category as a replacement for larceny, $50 and over in value. This new classification includes the total number of larceny-theft offenses known to police without regard to value. This modification of the definition was due to the problem of valuation of stolen property and inflation factors in the $50 value, which is basic to the definition of the offense. The result was that every state experienced a significant increase in the number of offenses.

Over a base period of 7 years from 1968 to 1974, Montana's crime rate increased an average of 8.1% a year, adjusting to the new larceny definition. Illustration A-1 contrasts the crime rate in Montana, 8 western states, and the overall nation.

Illustration A-1
Comparison of Nation & Eight Western States
To Montana (Based on Crime Rates)
1968 - 1974



Source: FBI Uniform Crime Reports
Asterisk indicated Criminal Justice Data Center Statistics

In 1973, a statewide offense data collection program was initiated. Since the Montana Board of Crime Control has better and more complete reporting than the FBI UCR system, MBCC data is substituted and used throughout the remainder of this section.

Table A-3 demonstrates the increase in crimes numerically from 1973 to 1974. Notable are the decreases in crimes against person for Montana and the percentage increases for the United States and western states.

Table A-3
COMPARISON OF CRIME INCIDENCE WITH PERCENT CHANGE
1973 - 1974

Offense	No. 1973	No. 1974	Percent Change Montana	Western States	U.S.
Homicide	48	44	-8.3	+9.0	+5.0
Rape	128	107	-16.4	+5.0	+9.0
Robbery	291	296	+1.7	+10.0	+14.0
Assault	1172	1038	-11.4	+14.0	+9.0
Total *	1639	1485	-9.4	+12.0	+11.0
Burglary	5501	6387	+16.1	+10.0	+17.0
Larceny Theft	15754	19339	+22.7	+17.0	+20.0
Motor Vehicle Theft	1687	2116	+25.4	+4.0	+4.0
Total **	22942	27842	+21.3	+13.0	+17.0
Total 7 Index Crimes	24581	29327	+19.3	+13.0	+17.0
Arson	56	68	+21.4		
Forgery & Counterfeiting	252	472	+87.3		
Fraud	757	1008	+33.1		
Embezzlement	18	12	-33.3		
Stolen Property	162	134	-17.2		
Vandalism	3121	6359	+103.7		
Weapons	309	416	+34.6		
Prostitution	6	10	+66.6		
Sex Crimes	168	243	+44.6		
Narcotic Drug Laws	1205	970	-19.5		
Gambling	44	42	-4.5		
Offenses Against Family	798	315	-60.6		
Simple Assault	1110	948	-14.5		
Negligent Manslaughter	22	25	-13.6		
Total Other Offenses	8028	11021	+37.2		
GRAND TOTAL	32609	40348	+23.7		

* Offenses against persons
** Offenses against property

With the state experiencing a large increase in crime, consideration is given to the type of crimes which are causing the increase. Table A-3 shows total increases in property crimes of 21.3%. The greatest increase in this category is in the area of larceny-theft, in which there were about 3,500 more crimes of this type in 1974, for a 22.7% increase.

While Table A-3 indicates the types of crime which are increasing and decreasing, the following illustration A-2 shows the proportions of crime as they relate to the total crime profile in Montana. The larceny-theft crime category accounts for 65.9% of all index crimes, while property crimes account for 94.9% of all the crimes reported in 1974.

The crime rate per 100,000 persons in the state has increased 48.4% over the last 6 years. The change in the actual number of offenses reported is up 57.2%. This comparison, as shown in illustration A-3, indicates that as the population in Montana increased by 5.9%, actual offenses reported increased 57.2% and the crime rate increased 48.4%.

A more in-depth analysis of Montana's 7 major index crimes is shown in illustrations A-4 and A-5. These indicate a fairly constant trend over the past 7 years for homicide, rape, and motor vehicle theft. Robbery and aggravated assault are leveling out toward constant trend, while burglary and larceny-theft are significantly increasing. The larceny-theft trend is distorted because of the new larceny definition. and a valid conclusio

Crime by County

The crime rate for each county in Montana has been listed in Table A-4. This listing indicates that high crime counties correlate with population concentrations. The high crime/population counties are Yellowstone, Cascade, Missoula, Lewis and Clark, Flathead, and Gallatin.

The 1974 crime rate for Montana was 3,990 per 100,000 population, which indicates 5 counties (Yellowstone, Cascade, Missoula, Lincoln, and Lewis and Clark) are above the statewide average. Of these 5 counties, Lincoln is the only one which is not characteristic because of its relatively low population (18,062 by 1974 estimate). In a county such as Lincoln, which has a relatively low population and low density, a small number of crimes has a considerable effect on the rate of crime when compared to population.

ILLUSTRATION A-2

MONTANA
CRIME OFFENSE PROFILE
1974

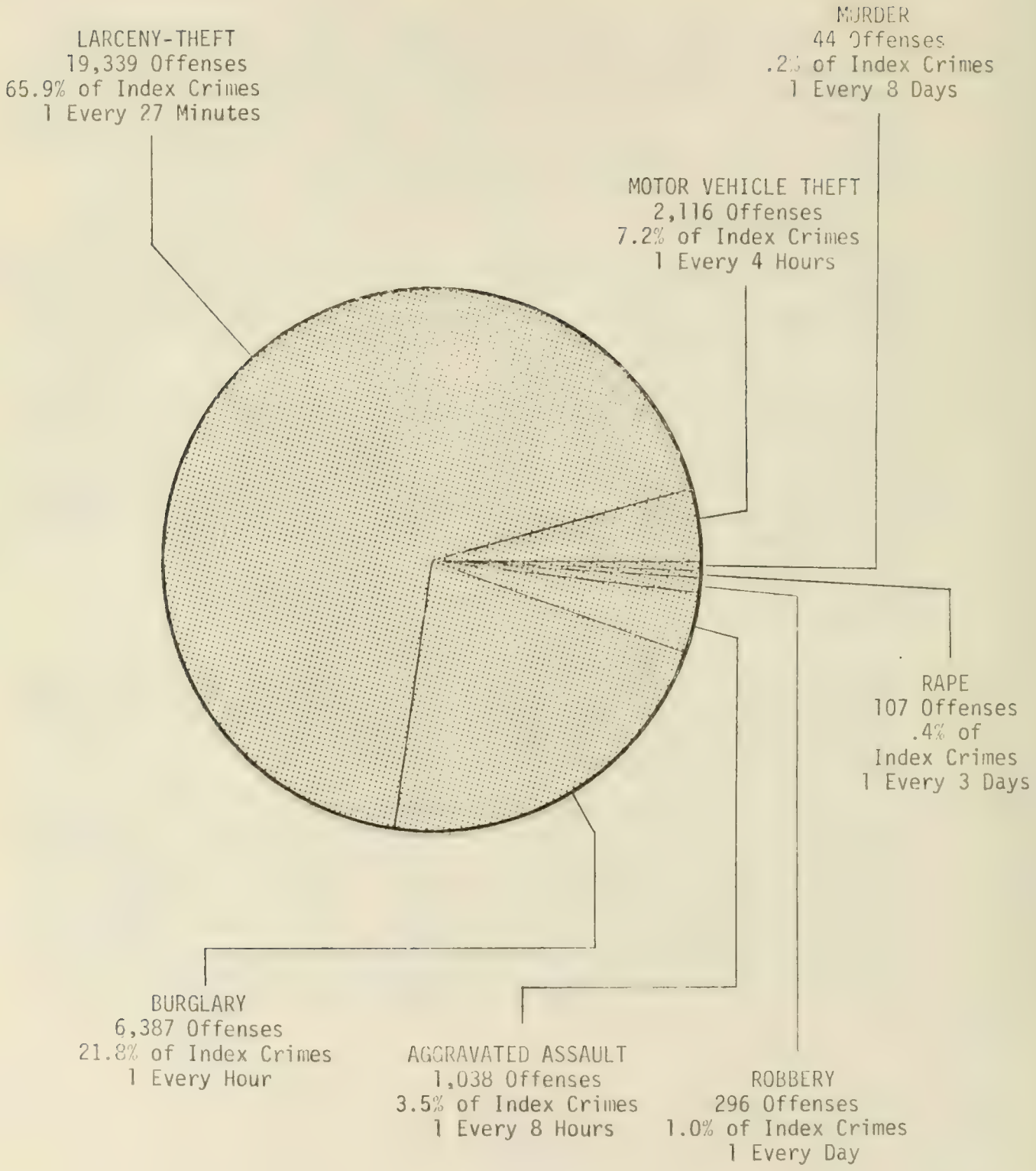


ILLUSTRATION A-3
MONTANA
CRIME & POPULATION
PERCENT CHANGE OVER 1969

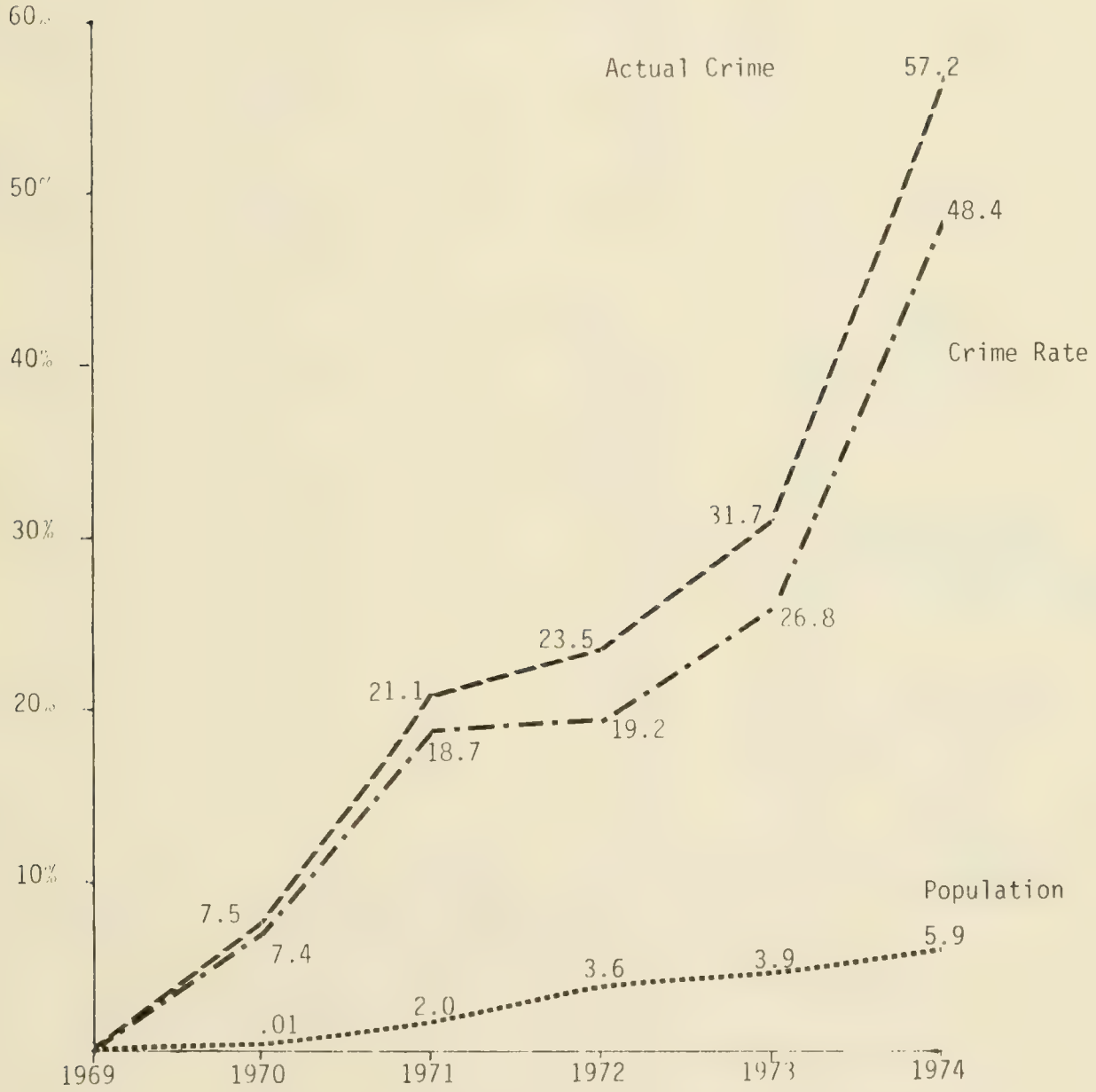
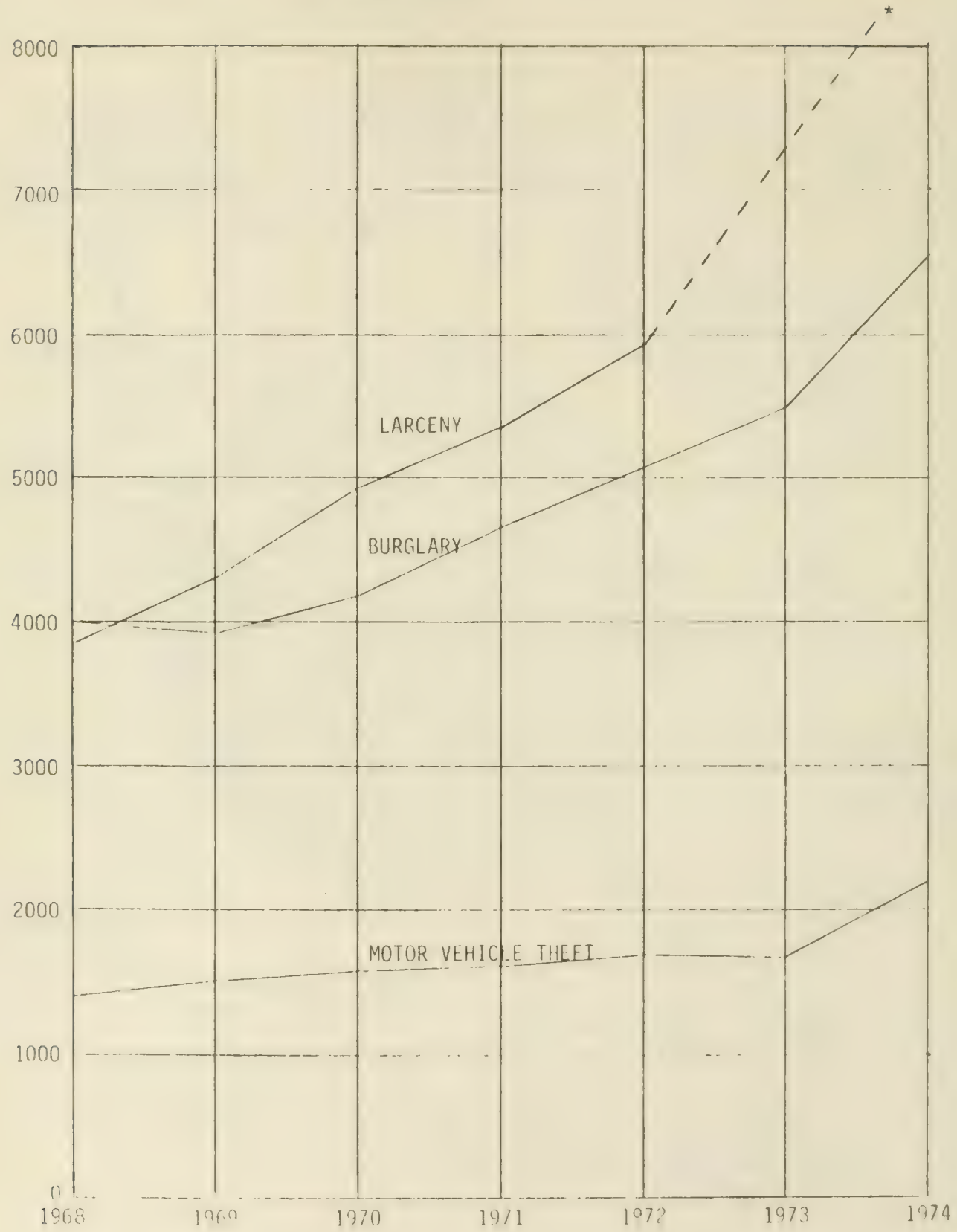


Illustration A-4
Trend Comparison of Crimes Against Property
Montana
1968 - 1974



* The new Larceny definition distorts this trend

Illustration A-5
Trend Comparison of Crimes Against Persons
1968 - 1974
Montana

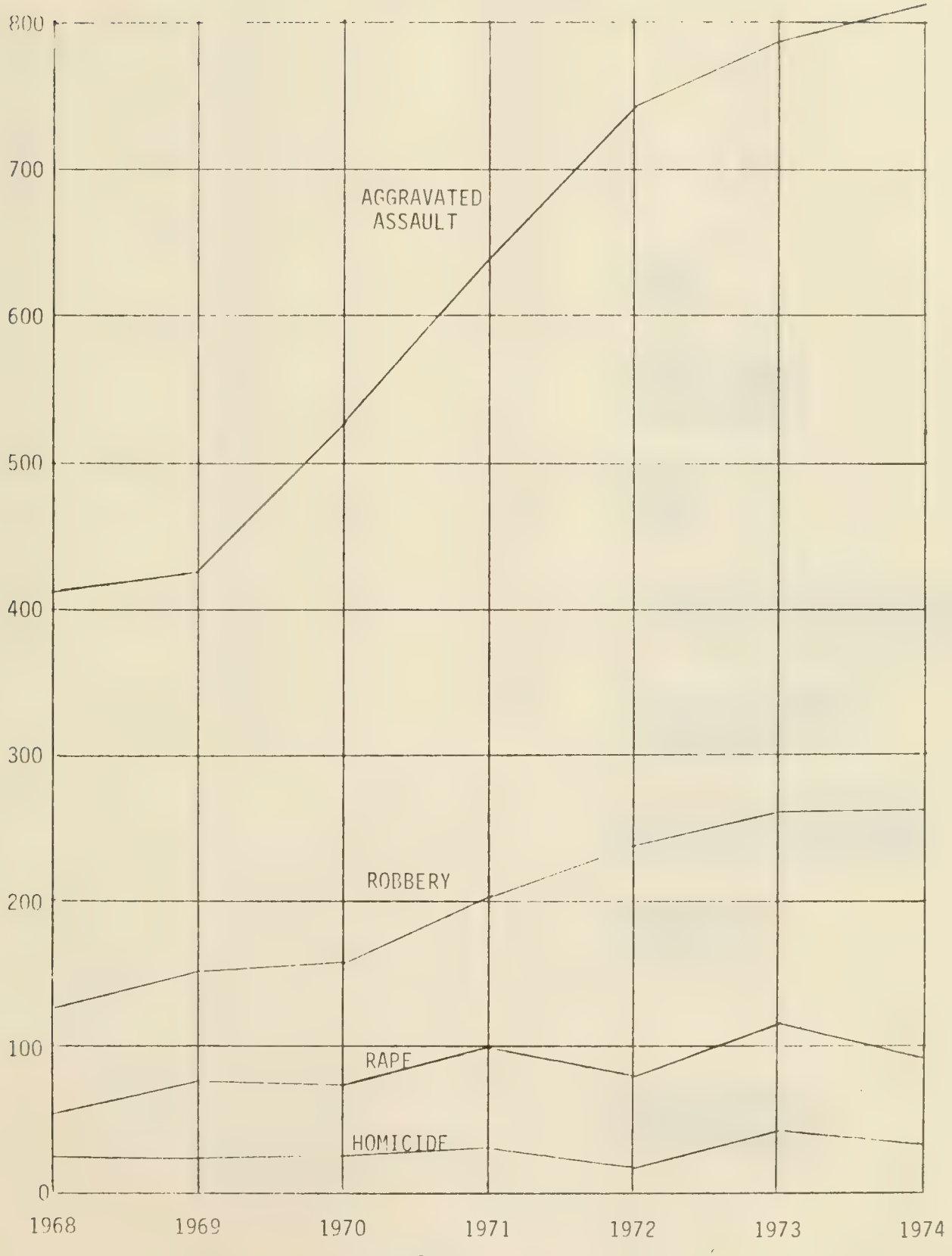


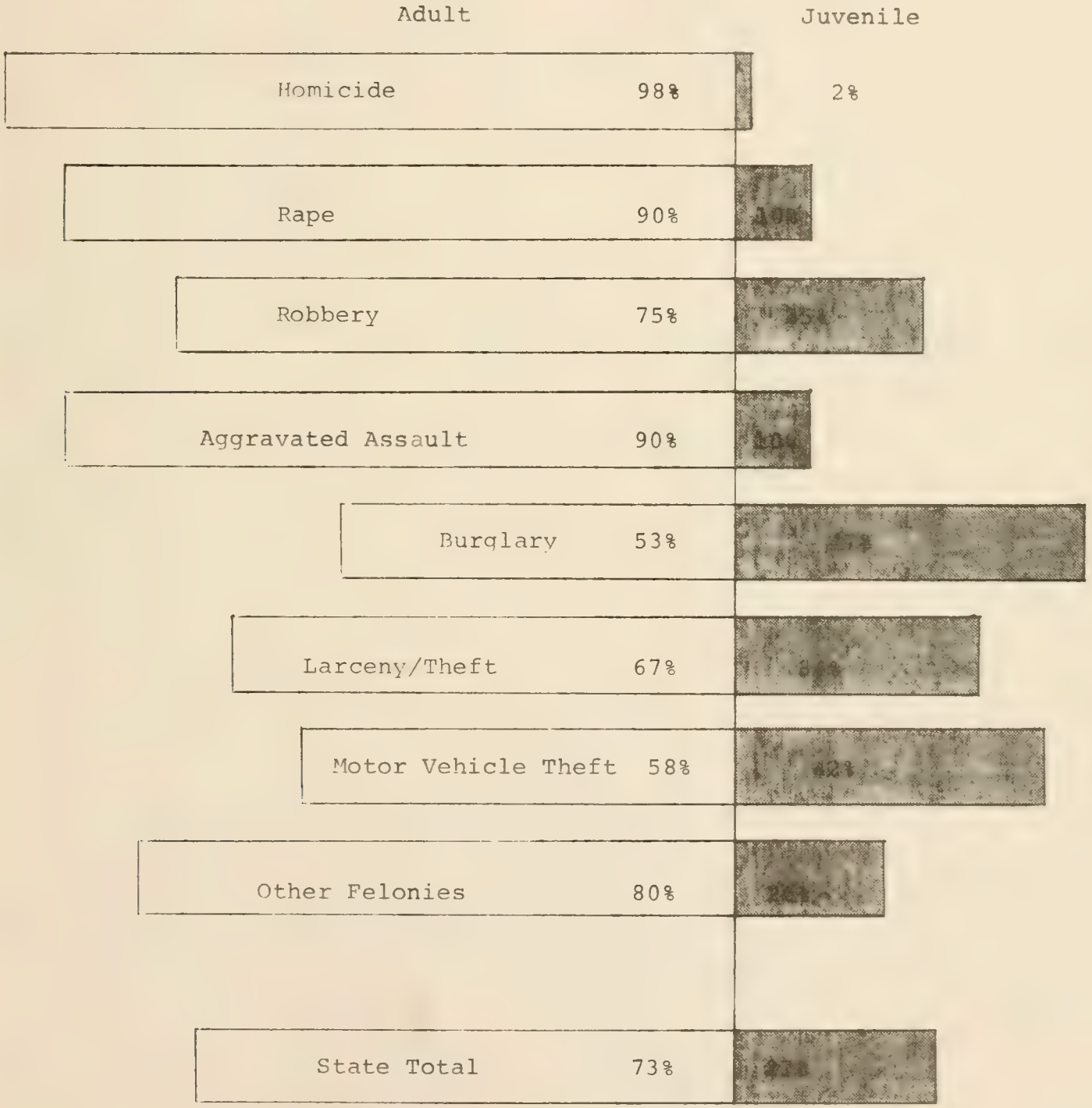
Table A-4
Montana Board of Crime Control
Crime Rate per 100,000 Population, 1974
Offenses Known to Police

Ranking of Counties

1.	Yellowstone	6834.3	29.	Chouteau	1690.1
2.	Cascade	6749.8	30.	Judith Basin	1543.0
3.	Missoula	6129.6	31.	Roosevelt	1460.2
4.	Lincoln	5453.4	32.	Prairie	1420.9
5.	Lewis and Clark	4828.2	33.	Musselshell	1338.4
6.	Flathead	3898.1	34.	Liberty	1332.8
7.	Park	3687.4	35.	Madison	1190.1
8.	Gallatin	3670.8	36.	Phillips	1168.5
9.	Hill	3468.8	37.	Petroleum	1143.8
10.	Custer	3451.6	38.	Richland	1050.7
11.	Beaverhead	3387.7	39.	Stillwater	959.6
12.	Silver Bow	3385.8	40.	Wheatland	940.8
13.	Sweet Grass	3266.9	41.	Blaine	922.3
14.	Dawson	3074.7	42.	Meagher	890.0
15.	Powell	3026.4	43.	Garfield	816.5
16.	Rosebud	2969.6	44.	Jefferson	804.4
17.	Mineral	2910.6	45.	Big Horn	741.6
18.	Broadwater	2540.8	46.	Treasure	713.0
19.	Carbon	2538.0	47.	Daniels	663.9
20.	Sanders	2513.2	48.	Pondera	598.9
21.	Glacier	2428.6	49.	Valley	567.3
22.	Fallon	2398.1	50.	Teton	564.2
23.	Lake	2236.3	51.	Sheridan	409.8
24.	Fergus	2152.8	52.	Powder River	280.0
25.	Ravalli	2093.4	53.	Wibaux	279.9
26.	Toole	1926.1	54.	Carter	108.9
27.	Granite	1847.0	55.	McCone	0.0
28.	Deer Lodge	1829.7	56.	Golden Valley	0.0

The following illustration shows that juvenile arrests accounted for 27 percent of all Montana arrests in 1974.

ILLUSTRATION A-6
Comparison of Adult/Juvenile Arrests
1974



SECTION B: EXISTING LAW ENFORCEMENT SYSTEMS AND AVAILABLE RESOURCES

Montana has many state, county, and municipal law enforcement agencies and supportive resources with varied authority, responsibility, and capability in dealing with criminal activity.

Table B-1 shows the ratio of law enforcement personnel per 1,000 population. Totals do not include law enforcement agencies with specialized primary functions.

TABLE B-1
RATIO OF LAW ENFORCEMENT PERSONNEL
PER 1,000 POPULATION
1974-75

		Ratio per 1,000 Population
1974 Montana Population Estimate:	735,000	
Sworn Personnel*	1,101	1.5
Non-sworn Personnel*	327	.45

*totals represent only sheriff and police departments

TABLE B-2
LAW ENFORCEMENT EMPLOYEE TURNOVER 1974
SWORN OFFICERS

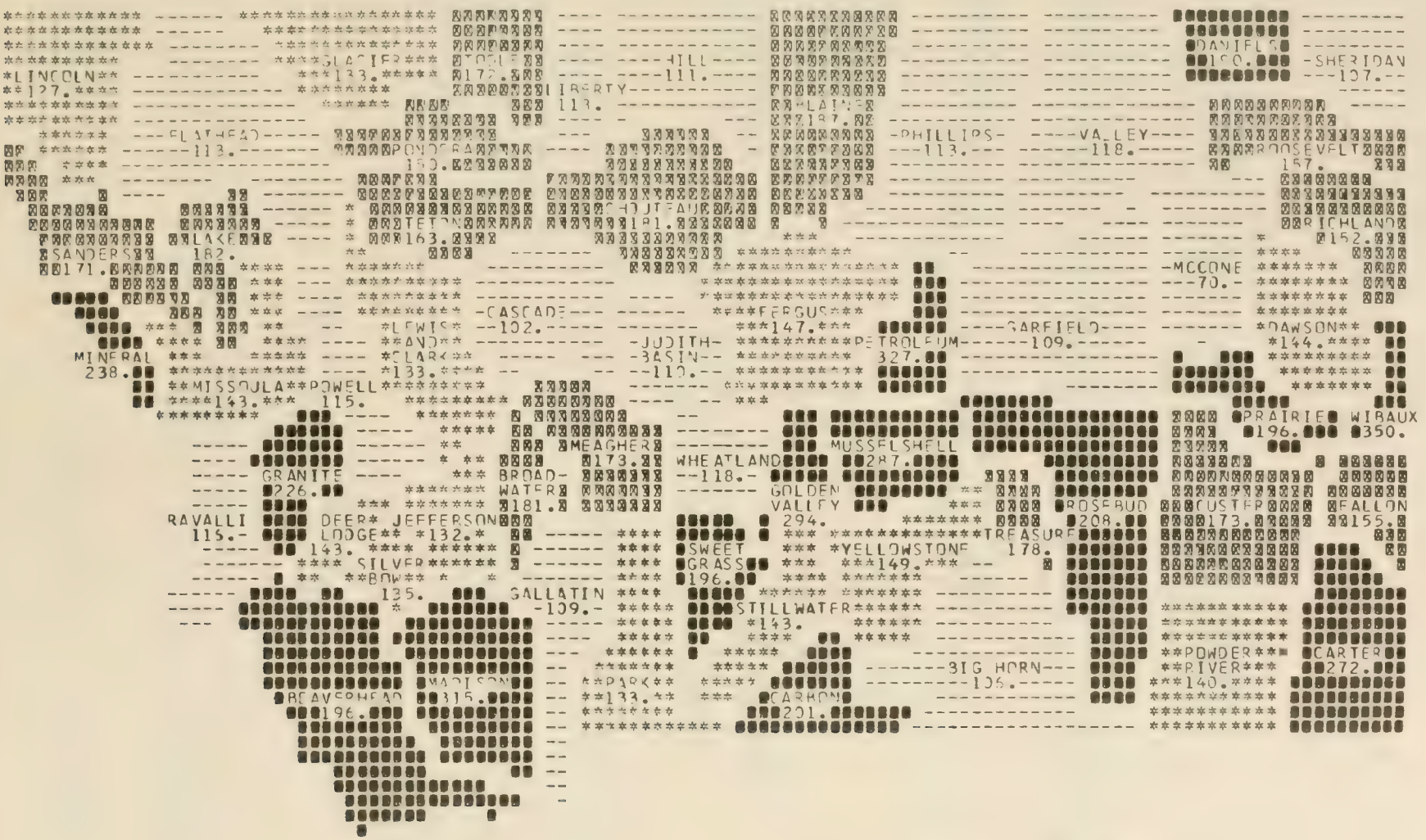
DEPARTMENT	TURNOVER RATE
Police	18.0
Sheriff	12.6
Tribal Police	30.4
TOTAL	16.1

The area patrolled by this force is 147,138 square miles, which means there is one sworn officer per 133.6 square miles. This density varies throughout the state.

The enforcement complement is spread very thin and consequently both formal and informal mutual aid relationships have developed. The map on the following page illustrates the deployment of law enforcement personnel in Montana.

To better depict the state's existing capability to deal with crime and criminals, each of the state and local law enforcement systems and its available supportive resources is examined in detail.

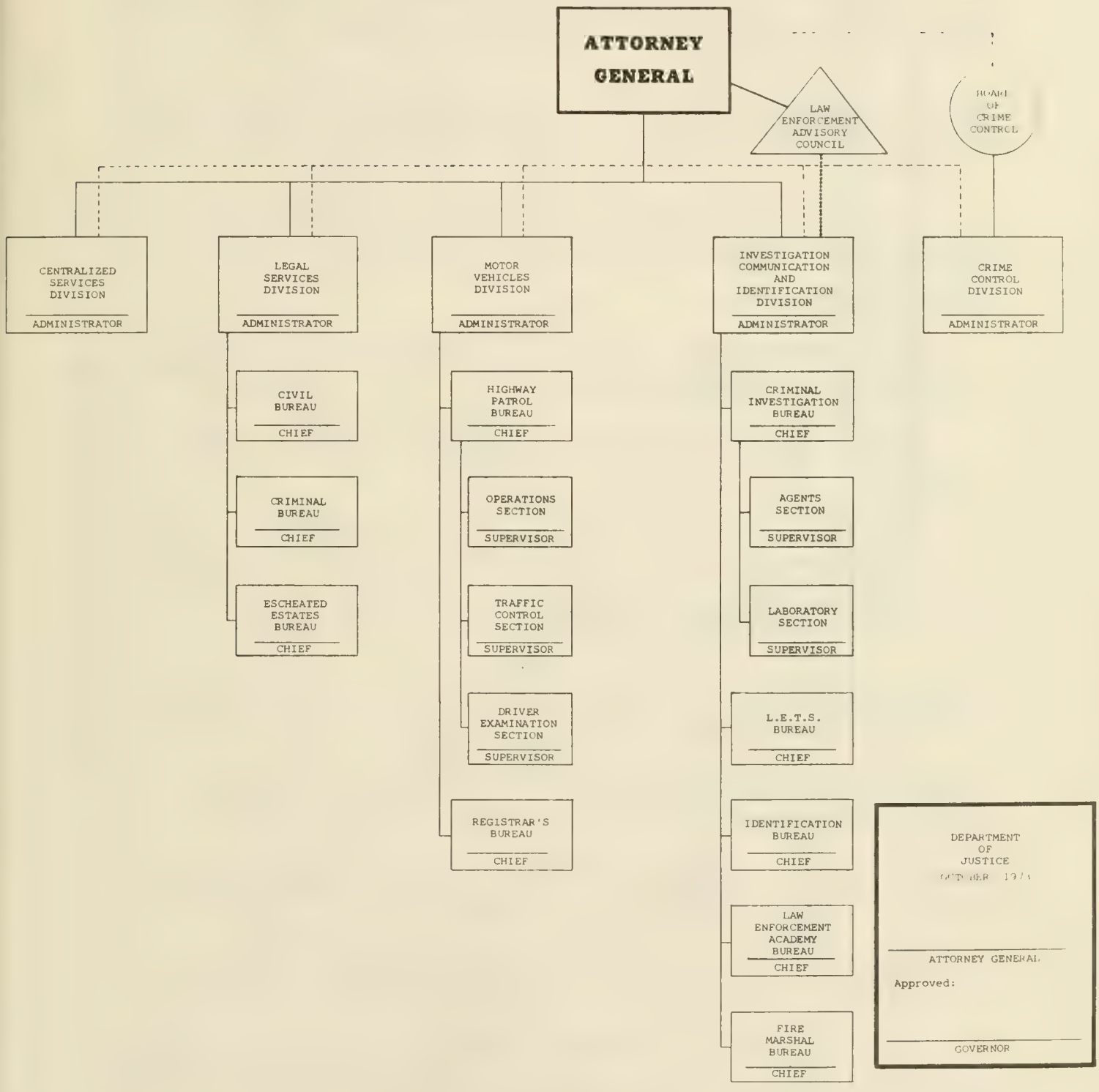
ILLUSTRATION B-1
MONTANA BOARD OF CRIME CONTROL
LAW ENFORCEMENT PERSONNEL PER 100,000 POPULATION, 1974



----	70.	- 118.	LOW QUARTILE
****	127.	- 149.	MEDIUM LOW QUARTILE
####	150.	- 187.	MEDIUM HIGH QUARTILE
####	190.	- 350.	HIGH QUARTILE

ILLUSTRATION B-2

ORGANIZATION OF DEPARTMENT OF JUSTICE



Department of Justice

The largest state agency dedicated to law enforcement is the Department of Justice, which has 440 full-time and 27 part-time employees. The department provides direct and supportive services statewide to the law enforcement effort.

The Department of Justice, formerly the Department of Law Enforcement and Public Safety, was created by the Executive Reorganization Act of 1971. Through amendments to the Act in 1973, it received its present name and function.

The department, under the direction of the Attorney General, operates and administers law enforcement functions and supportive resources as shown in Illustration B- 2.

HIGHWAY PATROL BUREAU

The Highway Patrol is under the administrative control of the Department of Justice and is supervised by a bureau chief appointed by the Attorney General.

The Highway Patrol employs 220 uniformed officers and 74 full-time civilian employees. General headquarters are in Helena.

Six field divisions are located in Missoula, Great Falls, Lewistown, Glendive, Butte, and Billings as shown in Illustration B- 3 . Each division is composed of two or more districts, depending upon manpower. A seventh division, for driver licensing and examination, is located in Helena.

District offices are maintained only in areas where supplemental storage area is needed because distance renders central storage impractical.

Currently, there are 220 marked patrol vehicles, 10 unmarked patrol vehicles, and one panel wagon. The patrol also uses 98 radar sets of various makes and models.

The Highway Patrol has jurisdiction over 42,000 miles of state and public roads. This is an average patrol distance of 190 miles per patrolman.

Although the patrol is principally traffic oriented, it has arrest authority for major crimes. Patrolmen are ex-officio fire wardens, game wardens, and stock inspectors.

Because of the patrol's mobility and statewide jurisdiction, it assists county and city law enforcement agencies in establishing roadblocks for the apprehension of fugitives and in transporting prisoners arrested at these roadblocks.

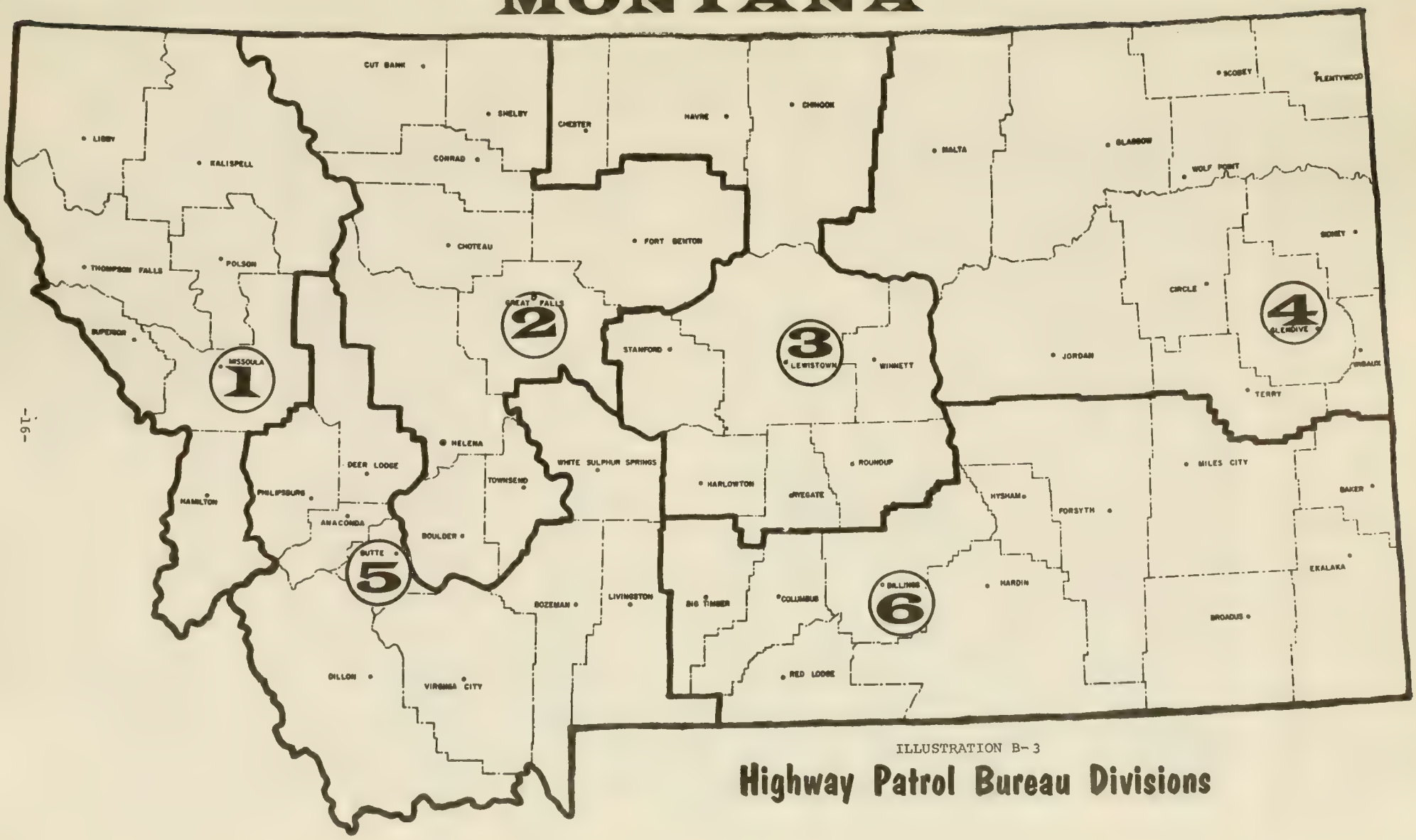


ILLUSTRATION B-3

Highway Patrol Bureau Divisions

The scope of authority of the highway patrol is defined in Section 31-110, R.C.M., 1947, as follows:

> "31-110. Offenses for which arrest may be made by patrolmen--murder, etc.--patrolmen when police officers--forbidden to act in labor disputes--temporary control of traffic in cities and towns--investigations of accidents--inspection of livestock. In addition to the above duties, the highway patrol supervisor and all patrolmen are authorized under this act to make arrests for the following offenses committed; if committed in the presence of said supervisor or any of said patrolmen, or if committed in a rural district, upon the request of a peace officer, or if committed in a city or town of less than twenty-five hundred (2500) inhabitants, upon the request of any peace officer, or the mayor of said city or town: The crimes of murder, assault with a deadly weapon, arson, burglary, larceny, kidnapping, illegal transportation of narcotics, or violation of the Dyer act regarding the transportation of stolen automobiles. Provided, that such highway patrolmen shall have no authority and are expressly forbidden to make arrests in labor disputes or in preventing violence in connection with strikes, and shall not be permitted to perform any duties whatsoever in connection with labor disputes, strikes or boycotts.
>
> "Patrolmen shall be deemed police officers in making arrests in all offenses occurring on the highways and in the use of motor vehicles or the registration thereof, and for the purpose of serving warrants of arrest in connection with such violations.
>
> "The patrolmen are also hereby empowered to stop any truck or motor vehicle in which livestock or livestock products are being transported and ascertain whether the driver of such truck or vehicle is rightfully in possession of such livestock or livestock products; and whenever the patrolmen have good reason to believe that such livestock or livestock products have been stolen, they are empowered to take possession of the same until such livestock or livestock products can be delivered into the custody of the sheriff or until such time as the facts as to the actual ownership can be ascertained."

During 1974, the patrol assisted other law enforcement agencies in 15 felony cases, 30 misdemeanor cases, and 7 other miscellaneous cases, such as roadblocks, suicides, drownings, etc.

Other cooperative and direct services provided by the patrol include:

1. Assistance to local hospitals by making blood and/or serum emergency runs between hospitals.

2. Participation in all major civil defense exercises because of the patrol's expertise in traffic management.

3. Presentation of safety and educational programs throughout the state. These programs consist of defensive driving courses, bicycle and pedestrian programs in the school system, and public appearances before numerous civic organizations in Montana.

4. Representation on various standing committees in state government, such as the Data Processing Task Force, the Peace Officers Standards and Training Council, the Board of Crime Control, the Alcohol and Drug Dependence Advisory Council, and numerous traffic safety councils and committees; maintenance of a selective and concentrated enforcement unit, designated as the Accident Prevention Unit. The unit operates primarily in high accident areas.

5. Assistance to local law enforcement agencies in crowd control with personnel and equipment.

Uniformed officers of the Driver Licensing and Examination Division conduct all examinations for driver licenses in the state. Photo license records are utilized by investigative agencies to identify fugitives and to locate missing persons.

DRIVER LICENSING

Goal: Renew driver licenses. Examine new applicants and persons experiencing driving difficulties. Maintain a complete record system of each driver's history. Administer the Safety Responsibility Act.

Objective: Montana's driver licensing and driver improvement program are intended to reduce driver error, thereby contributing to the overall program of highway safety.

Achievements: Increased programs in driver correction through the Driver Improvement Program.

Performance Indicators - Fiscal Year

Table B-3
Patrol Activity Summary
in Percentage Time

	% Time
Patrol Activities	50-60%
Accident Investigation	10-15%
Report Writing	10-15%
Special Assignments	5-10%

The Highway Patrol Recruit Training School is conducted at the Law Enforcement Academy Bureau in Bozeman and provides 600 hours of instruction in a 10-week period. Traffic law enforcement and accident investigation are the primary training subjects.

In-service training for patrol personnel and local law enforcement officers is provided in accident investigation, laws of arrest, rules of evidence, motor vehicle code statutes, gas chromatograph operation, and justice-of-the-peace indoctrination and orientation.

Twenty-four hour communication service is maintained at the patrol general headquarters, with 16-hour capability in the division headquarters. Local sheriffs and/or police departments maintain communications for the patrol divisions in the remaining shift.

The patrol records division maintains files for the Federal Bureau of Investigation on at-large fugitives and provides record information to the F.A.A., D.O.T., Armed Forces, and Federal Courts.

In cooperation with the Department of Livestock, a new livestock inspection report has been instituted to enable patrol officers to make more complete inspections of transported livestock. This effort is directed at curtailing illegal transport and theft of Montana livestock.

INVESTIGATION, COMMUNICATION AND IDENTIFICATION DIVISION

The administrator of the Division of Investigation, Communication and Identification, appointed by the Attorney General, has supervisory authority over the following bureaus:

1) Criminal Investigation and Crime Laboratory
2) Law Enforcement Teletypewriter Communications
3) Identification
4) Fire Marshal
5) Law Enforcement Academy

The overall functions of the division are to provide efficient and timely communication through automation; to update and keep current fingerprint classifications and filings; to expand and improve the law enforcement training facilities and programs at the state law enforcement academy; to improve the quality and quantity of crime laboratory services; and to provide increased criminal investigation assistance to local agencies requesting investigative aid.

The bureaus provide the following law enforcement functions and services:

1) Criminal Investigation and Crime Laboratory

The Criminal Investigation Bureau of the Investigation, Communication and Identification Division is staffed with investigative agents located in Helena to effectively serve Montana. Each agent is qualified by experience, training, and high professional competence in criminal investigation.

The investigative agents have the power and duty to: assist city, county, state, and federal law enforcement agencies at their request by providing expert and immediate aid in investigation and solution of felonies committed in the state; and assist various law enforcement schools held in the state for law officers when requested.

These agents have traveled thousands of miles lending their investigative expertise to local law enforcement upon request. Their activities and investigations have carried them into all of Montana's 56 counties and have included investigations into murder, assault, kidnaping, burglary, narcotics, and internal affairs of government.

The Crime Laboratory, now in its 6th year, employs 4 full-time chemists and 1 secretary. Its current service is mainly analysis for the presence of controlled substances for law enforcement agencies and provision of expert testimony in Montana's courts regarding these analyses. The

laboratory also does analyses for the presence of fire accelerants in arson cases as well as a limited amount of blood and body fluid identification. In addition, the laboratory is now doing analyses for the Department of Revenue of alcoholic beverages suspected of being watered down or not containing the genuine beverages they were reported to be when sold.

The laboratory is located in a privately owned building in Missoula. An electronic burglar alarm system was installed and close inspections and inventories are conducted for security.

In addition to typical chemistry glassware and apparatus, the laboratory is equipped with 2 high performance gas chromatographs, a fluorescence spectrophotometer, and an infrared spectrophotometer.

The number of samples submitted for analysis increased from 2,052 in FY 1973 to 2,307 in FY 1974.

2) Law Enforcement Teletypewriter Communications Bureau

This bureau is staffed by a bureau chief, 5 full-time employees, and 5 part-time employees.

The facility housing the Law Enforcement Teletype System is a modern, privately owned building in Helena which is leased by the state and shared with the Investigation, Communications and Identification Division and the Central Services Division of the Department of Justice.

The original LETS network consisted of 39 terminals connected by 6,196 miles of voice grade teltype lines; a relay type switcher located in Helena and Miles City and connected by two voice grade system circuits; a tie line to the Idaho teletype network; and an interface to National L.E.T.S. and the National Crime Information Center (NCIC) in Washington, D.C.

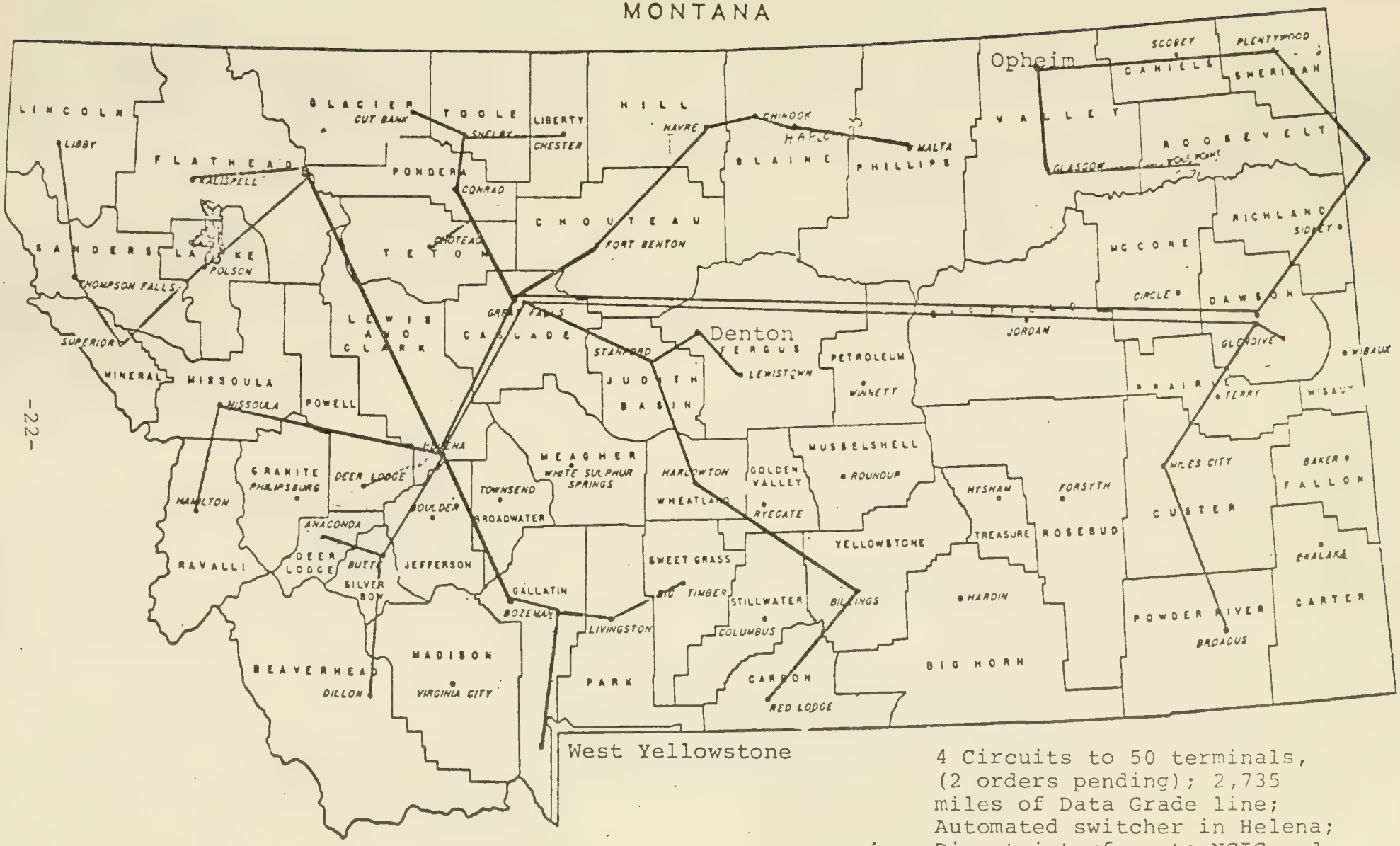
The present automated network consists of a computerized general purpose, communications switcher, 50 terminals connected by 2,735 miles of data grade teletype lines, an interface to NCIC and National LETS. The present state system is illustrated in the map, Illustration B-4.

Of the present 50 teletype terminals, 24 are Model 33 ASR terminals and 26 are the heavier duty Model 35 ASR terminals.

The Model 33 ASR teletype leases for $65.00 (plus station arrangement, data selective calling service station, drop service, connecting arrangement, and service terminals) and the Model 35 ASR leases for $110.00 (plus station arrangement, data selective

ILLUSTRATION B- 4

MONTANA

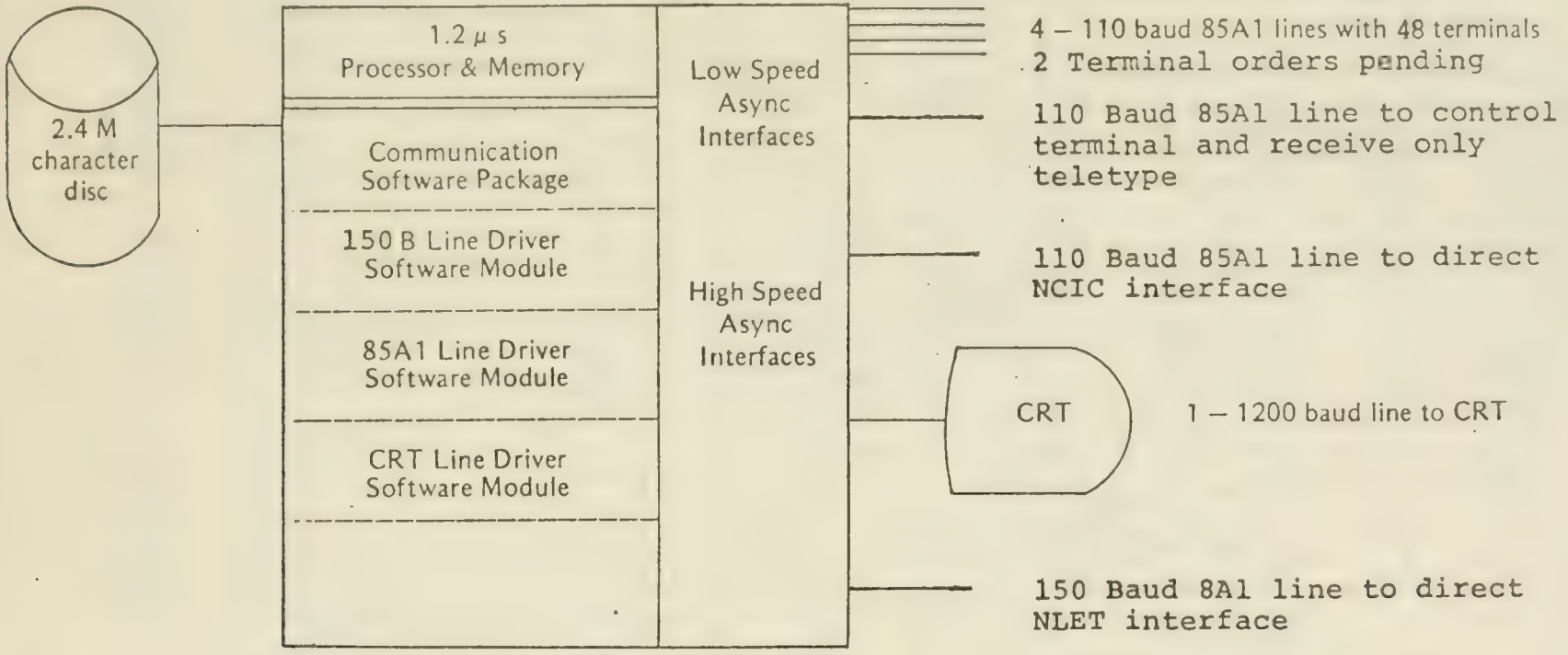


West Yellowstone

24 Model 33 ASR terminals
26 Model 35 ASR terminals

4 Circuits to 50 terminals, (2 orders pending); 2,735 miles of Data Grade line; Automated switcher in Helena; Direct interface to NCIC and Direct interface to NLET.

Montana Law Enforcement Teletype System


2.4 M character disc
1.2 μ s Processor & Memory
Communication Software Package
150 B Line Driver Software Module
85A1 Line Driver Software Module
CRT Line Driver Software Module
Low Speed Async Interfaces
High Speed Async Interfaces
4 – 110 baud 85A1 lines with 48 terminals
2 Terminal orders pending
110 Baud 85A1 line to control terminal and receive only teletype
110 Baud 85A1 line to direct NCIC interface
CRT
1 – 1200 baud line to CRT
150 Baud 8A1 line to direct NLET interface

ACTION TELECONTROLLER

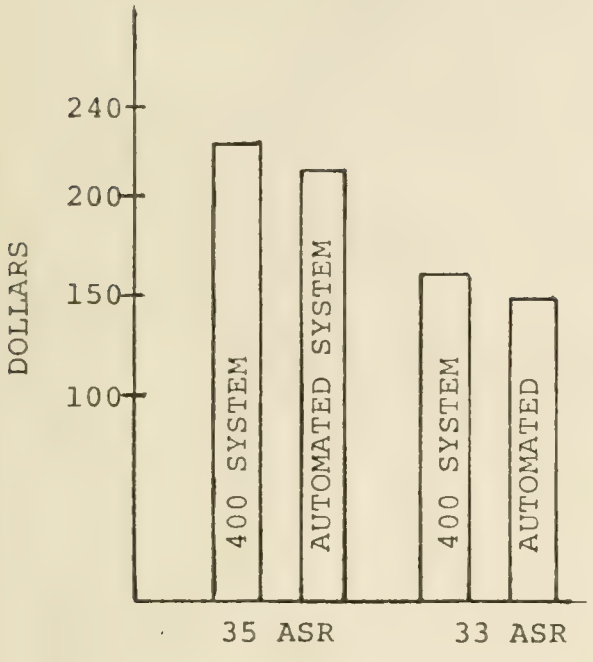
Application:

1. Police telecommunications.
2. Computerized interface to NLETS circuit and NCIC files.
3. CRT editing of data

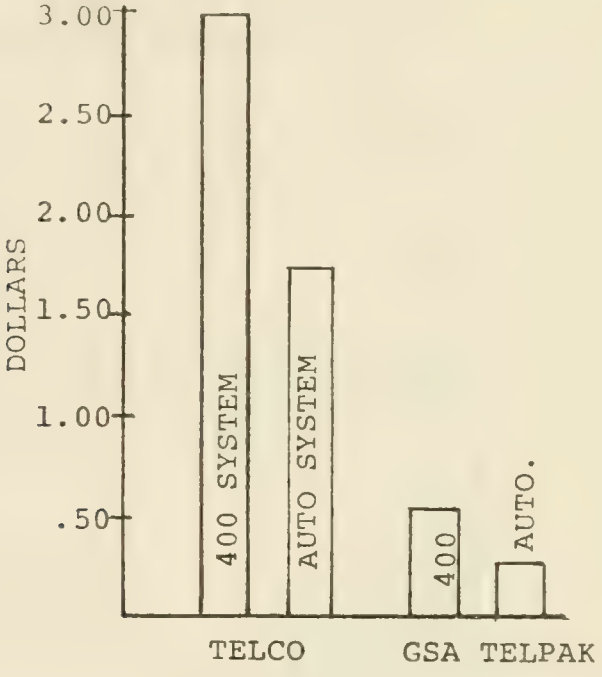
ILLUSTRATION B-5

L.E.T.S. PRESENT CONFIGURATION

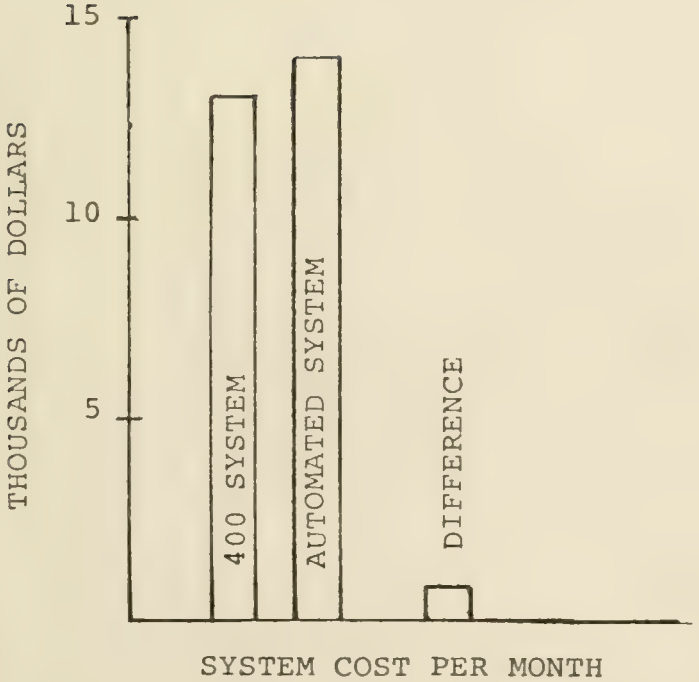
Illustration B- 6
Cost Comparison of LETS Automated/400 Systems



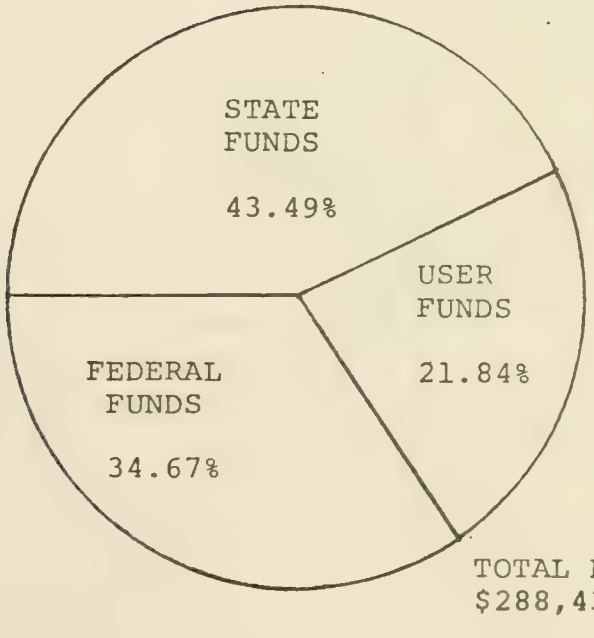
TERMINAL COST PER MONTH



LINE COST PER MILE



SYSTEM COST PER MONTH



OPERATING BUDGET

AVERAGE NUMBER OF NCIC AND NLET
MESSAGES PER MONTH

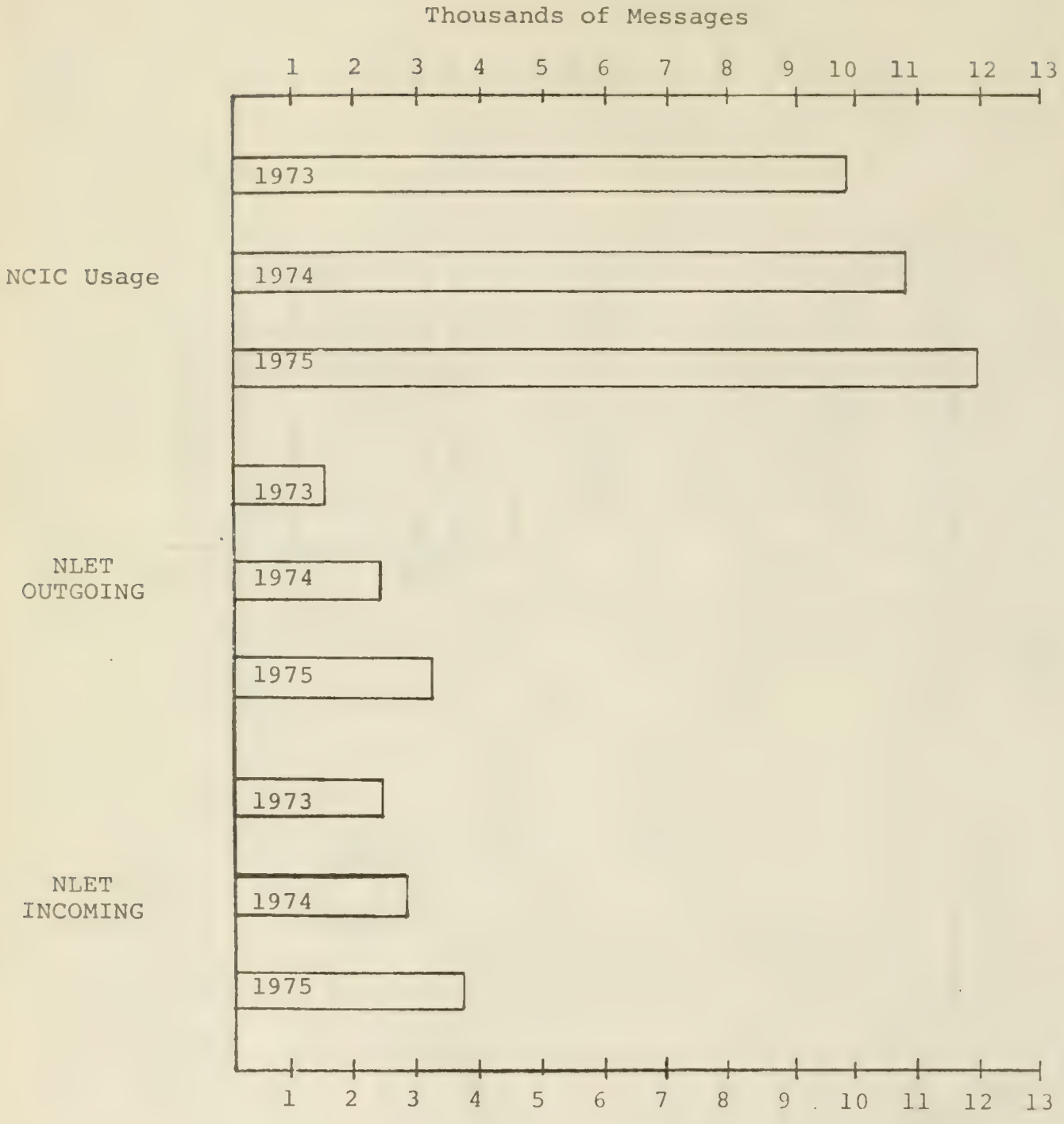


Illustration B-7

AVERAGE NUMBER OF
NCIC HITS PER MONTH

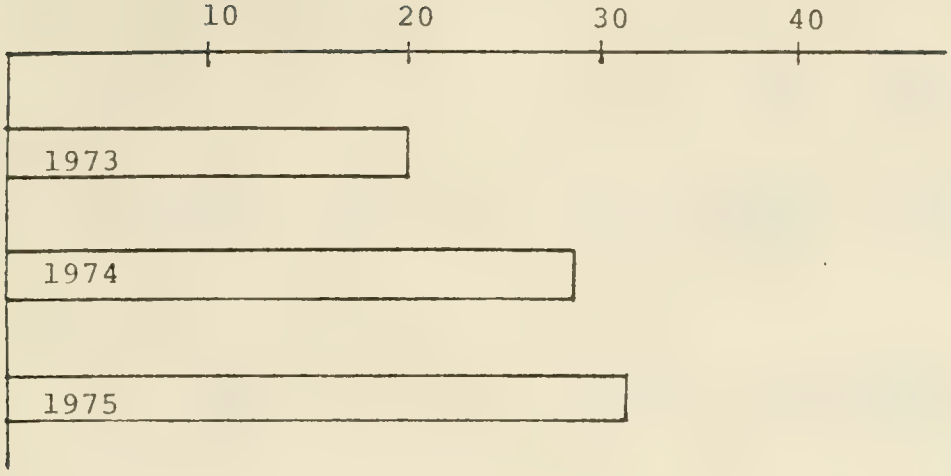
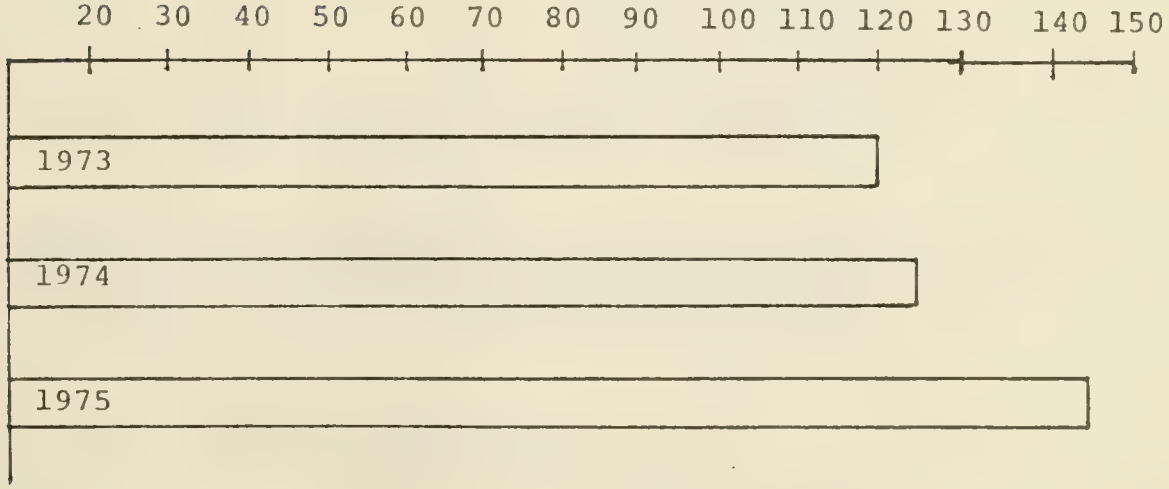


ILLUSTRATION B-8

SYSTEM TRANSACTIONS

NUMBER OF MESSAGES ON THE
AUTOMATED SYSTEM PER MONTH

Thousands of Messages



calling service station, drop service, connecting arrangement, and service terminals). The teletype lines are a combination of the telephone company lines at $1.45 per mile plus 35% and Government Services Administration (G.S.A.) Telpak at a cost of 27 cents per mile. Illustration B- 6 provides budget comparisons.

LETS conducts an annual statewide training program for teletype operators in various regions throughout the state. Training is also given on an individual agency basis when a new department joins the system.

Faster communication with other states was afforded the Montana users in 1975 when a system upgrade was implemented to automatically route NLETS traffic. Previously, all NLETS traffic was manually routed by a LETS Bureau operator.

3) Identification Bureau

The Identification Bureau is under the direction and supervision of the Identification Bureau Chief. Employees of the LETS Bureau have also been instructed in the operation of the Identification Bureau's record check service to provide this service to all law enforcement agencies in the nation on a 24-hour-a-day, 365 days-a-year basis.

The Bureau is currently staffed by 4 full-time employees, including a court qualified latent fingerprint expert.

Primary activities of the Bureau include:

1. procurement and filing of criminal information on all persons convicted of felonies and other reportable crimes in the State of Montana;

2. preparation and dissemination of criminal histories (rap sheets) to contributors of fingerprint cards in the State of Montana;

3. providing criminal information to law enforcement agencies throughout the country (record checks);

4. updating and consolidation of files for microfilming and for a name index to include aliases and nick-names;

5. assistance to law enforcement agencies in obtaining information regarding convicted felons and other well-known and habitual criminals;

The fingerprint cards provided by this bureau have been checked for compatibility with FBI-NCIC codes. Information for eventual data transcription and automation is being collected from these cards.

In addition, a monthly Bulletin is compiled for distribution to law enforcement agencies. The Bulletin includes announcements of a general nature (e.g., changes in policy, dates of schools to be held, etc.), information concerning crimes committed, inmates received, discharged, and paroled at Montana State Prison, and parole violators.

Table B-4
Summary of Identification Bureau Activities
June 1, 1974, through May 31, 1975

Total Number of Fingerprints on File	185,529
Total Number of Records Purged	71,735
Fingerprint Cards Received, Searched, Classified, and Filed	3,368
Average per month (12 months)	281
Positive Identification of F.P. With Prior Record	968
Average per month (12 months)	81
Number of Record Searches	16,327
Average per month (12 months)	1,361
Number of Teletype Responses	3,266**
Average per month (12 months)	272
Latent Fingerprint Cases Received and Processed	101
Average per month (12 months)	8

**Decrease from last report due to the Department of Revenue Investigation Bureau obtaining its own teletype.

4) Fire Marshal Bureau

The State Fire Marshal Bureau employs two Deputy I and two Deputy II personnel, a Chief Deputy, and the Chief of the Bureau. The Bureau also has two secretaries and 22 special deputies on a part-time basis in investigation.

Part-time investigators are used in the initial investigation of fire scenes. If arson is suspected, a regular full-time deputy state fire marshal comes into the case and follows it to its conclusion. Technical assistance is provided to prosecuting attorneys in the preparation of arson cases for court. An active information gathering and disseminating program is maintained to assist the Fire Marshal Bureau, local law enforcement, and fire service personnel in handling arson cases.

Many services are provided by the Fire Marshal Bureau in addition to the investigation of incendiary fires, such as polygraph examinations, inspections, code adoption, fire alarm and extinguisher licensing, plus prevention services and computerized fire reporting. Both classroom and individual training are provided for law enforcement agencies and local fire departments in arson investigation and detection techniques.

Table B-5
Fire Marshal Bureau
Activities Summary and Comparison

	1973-74	1972-73	1971-72
Reported Fires of Unknown Causes	1,419		
Arson Investigations	322	183	162
Hotel Surveys	30	61	80
Building Plan Review	153	152	149
Inspections	1,520	1,435	901

There are no statistics currently available on prosecutions attempted and convictions rendered, as this data is not routinely reported to the Fire Marshal's office by local government.

5) Law Enforcement Academy Bureau

The Montana Law Enforcement Academy was created by the legislature in 1959 to provide Montana law enforcement officers with additional training.

In 1972, the Montana Law Enforcement Academy was renamed the Law Enforcement Academy Bureau and placed under the Department of Justice pursuant to the Executive Reorganization Act of 1971.

The Academy is directed and supervised by a bureau chief and has an assistant chief, a training coordinator, and two police instructors. Three full-time secretaries, a bookkeeper, and a part-time clerk complete the administrative staff.

Professional part-time instructors are utilized from federal, state, and local agencies, educational institutions, and other professions. A representative list of these resources is as follows:

Table B-6
Law Enforcement Academy Bureau
Part-Time Instructors

Federal Bureau of Investigation
Sheriffs' Departments
Police Departments
Canadian Police Agencies
Bureau of Indian Affairs
National Auto Theft Bureau
State Supreme Court Justices
District Judges
Justices of the Peace
County Attorneys
Business Professionals
Press and Media Professionals
Psychiatrists
Pathologists
Montana State University
University of Montana
U. S. Forest Service
Carroll College
Fish and Game Department
Internal Revenue Service
U. S. Treasury Department
Bureau of Narcotics and Dangerous Drugs
Law Enforcement Teletype System
Social Welfare Agencies
Ex-Offenders
State Highway Department
State Board of Health
Civil Defense
Federal Reserve Bank
Montana State Prison
Board of Livestock
State Crime Lab
Montana Highway Patrol
State Fire Marshal
Board of Pardons
Campus Security
Board of Crime Control
Fraud Division of Master Charge and BankAmericard

The facilities of the Academy are located on the campus of Montana State University in Bozeman. The dormitory accommodates 40 students with staff office space in a separate facility. The dining area, classrooms, and physical education facilities are nearby. The Academy's modern firing range, located east of Bozeman, has concrete firing lanes and positions, flood lights adjustable to various degrees of lighting, a classroom, a heated range house, and an adequate parking area. The recently acquired electronic target system has added a new dimension to the LEAB firearms program.

The Academy is the only centralized training center for law enforcement and other criminal justice personnel in Montana. It is also the major training facility for most individual law enforcement departments in the state.

During the past year, 33 schools were conducted over a period of 60 school weeks with 707 students attending.

Table B-7
L.E.A.B. Student Attendance Summary

Fiscal Year	Total Students
1971-72	694
1972-73	704
1973-74	561
1974-75	707

With the enactment of mandatory training requirements, a substantial increase in training workload continues to be anticipated.

In a continuing effort to provide high quality training to law enforcement and other criminal justice personnel, a variety of training opportunities is provided. The following table of FY 74-75 schools gives evidence of such variety:

Table B-8
FY74-75 L.E.A.B.
Schools and Attendance

School	Number Attending
Instructor Development	12
Basic School - 11th Session	26
Montana Youth Act Seminar	39
Juvenile Provation School	22
Basic Arson Investigation	21
Accident Investigation	17
Death Investigation	27

Table B-8 (Cont'd.)

School	Number Attending
Regional Training #2	15
Basic - 12th Session	28
Advanced - 6th Session	27
Regional Training #3	3
FBI Police Management	23
Regional Training #4	13
Police Management - Northwestern	12
Legal Training	21
Classification of Fingerprints	10
Latent Fingerprints	15
Parole and Probation	39
Photography	17
Drug Enforcement	33
Dispatcher Training	25
Regional Training #5	18
Regional Training #6	23
Basic - 13th Session	33
Sex Crimes	23
Juvenile Probation	18
Basic - 14th Session	34
Basic Arson Investigation	17
Intermediate - 1st Session	21
Regional Training #7	9
Regional Training #8	32
Regional Training #9	4
Regional Training #10	7
Total	707

Other services provided to criminal justice personnel, to state and local government, and to citizen groups are a criminal justice film library, news bulletin, and the Susan Yaeger Memorial Library.

The Academy has consistently added to and upgraded its film library. Sixteen films for community use are now available. In the past year, 9,443 members of the general public, plus civic groups and grade school, high school, and college students throughout the state viewed these films.

Eight new law enforcement training films were purchased and are used both in the Academy training program and for in-service training within law enforcement departments. A total of 1,600 trainees viewed these films during departmental in-service training last year.

The Law Enforcement Academy Bureau "Bulletin" is received by Academy graduates, sheriffs, chiefs of police, coroners, probation and parole officers, justices of the peace, and other interested parties.

The "Bulletin" includes information about the services of the Academy, and graduate and personal items such as promotions, honors, retirements, and special achievements.

The Academy is funded by federal-action subgrants and state general-fund monies. Students (or their agencies) pay room and board for all special schools, while Basic, Intermediate, and Advanced Schools are at no cost to the student. The 1975 Montana Legislature indicated that the state will assume the financial responsibility for funding the Academy, but in doing so, has further indicated that agencies sponsoring students will be expected to assume the costs of room and board. In FY 77 the state will pay one-half the cost of room and board for students in Basic, Intermediate, or Advanced Schools. As in FY 76, students in special schools and students employed by state agencies attending any school will be required to pay room and board. By contracting with the University, the Academy is able to keep these costs to a minimum ($5.40 per day in FY 76.)

Table B-9
Program Cost Summary
FY74-75

EXPENDITURES	
Personnel	$113,733.00
Consultant Services	22,000.00
Travel	58,620.00
Equipment	6,400.00
Operating Expenses	81,785.00
TOTAL EXPENDITURES	$282,538.00
REVENUE SOURCES	
Federal Funds	$175,000.00
State & Private Funds	107,538.00
TOTAL REVENUE	$282,538.00

As a special project, the Academy is collecting data regarding students to detect trends in law enforcement personnel background as well as areas of need in training, general education, procedures, and equipment.

Table B-10
Comparative Montana Peace Officer Data

	FY1973	FY1974
Total Students Surveyed	397	327
Average Age	32 yr 2 mo	32 yrs
Average Length of Service	4 yr 8 mo	5 yr 3 mo
Average Years Formal Education	12 yr 7 mo	12 yr 9 mo
Average Hours Police Training	333	275
Most Common Academic Major	Pol.Sci.	Pol. Sci.

Table B-10(Cont'd.)

	FY1973	FY1974
Percentage with College Degree	9.3	19
Percentage Agencies Providing Uniforms	69.4	74
Percentage Agencies Providing Vehicles	84.6	93

	FY1975
Total Students Surveyed	493
Average Age	33 yr 4 mo
Average Length of Service	5 yr 2 mo
Average Years Formal Education	13 yr
Average Hours Police Training	358
Most Common Academic Major	Pol.Sci. & Soc.
Percentage with College Degree	16.3
Percentage Agencies Providing Uniforms	74.3
Percentage Agencies Providing Vehicles	94

On August 14, 1974, an Advisory Council was appointed to assist in the operation of the Law Enforcement Academy Bureau. The 5 members of the council represent sheriffs, police, county attorneys, P.O.S.T., and the University system.

THE ATTORNEY GENERAL'S LAW ENFORCEMENT ADVISORY COUNCIL

In conjunction with the formation of the Investigation, Communications and Identification Division within the Department of Justice, a special advisory council was formed.

This council acts in an advisory capacity to the Attorney General in matters affecting federal, state, county, and city law enforcement agencies insofar as the Investigation, Communications and Identification Division is concerned.

Bureau of Research and Design, Board of Crime Control

The Bureau of Research and Design includes the Automated Data Processing Center and the Criminal Justice Data Center.

The bureau is responsible for all statistical activities handled by the SPA. These include regular reports on crime and criminals in Montana, special studies of various aspects of the criminal justice system, and responses to inquiries from outside the SPA.

The bureau provides a capability for computerizing many portions of the SPA data collection effort and has taken the lead in computerizing significant areas of the criminal justice information system. In addition, the bureau provides technical assistance upon request in such areas as record-keeping, statistical research, and computer systems for law enforcement.

Automated Data Processing Center

The Automated Data Processing Center is responsible for the planning, development, and maintenance of automated criminal justice information systems. The current automated systems are the arrest register, offenses known to the police, juvenile court, and criminal justice mailing labels.

Currently, programs are run on both the Department of Administration and the Highway Department computers. The Automated Data Processing Center has a terminal linkup with the Highway Department computer.

The automated data center is currently developing a Juvenile Probation Information System, which will analyze and summarize data supplied by juvenile probation officers throughout the state. The subgrant portion of the county inventory is being computerized to provide faster access to this file of information.

Criminal Justice Data Center

The Criminal Justice Data Center staff is made up of a supervisor, 2 statistics clerks, a computer programmer, and 2 statisticians. Facilities for the Criminal Justice Data Center are provided within the office complex of the Board of Crime Control in Helena.

Criminal Justice Data Center personnel utilize the centralized computer of the Department of Administration for key punching and summarizing criminal statistics. Data is compiled from a monthly register of arrests and offenses known to police and submitted by 56 county sheriffs, 48 police departments, and 7 tribal police agencies plus the U.S. Immigration Service. Reports are compiled in the form of crime analysis and crime projections.

Data is disseminated by means of a quarterly statistical report issued by the center and distributed to all law enforcement and interested criminal justice agencies in the state. Additionally, individual inquiries from the field are handled as needed.

The only other agency collecting similar criminal justice information in Montana is the Federal Bureau of Investigation through the Uniform Crime Report system. Although some duplication occurs at the local level, the State of Montana derives more complete statewide reporting and collects more detailed information than does the FBI.

The data center also collects information from the district court system on felony trials conducted in each of the 18 judicial districts. This effort began in July, 1974, and the data collected is currently being analyzed.

The Montana State Prison supplies information to the center each month on admissions to and releases from the institution.

Comprehensive Data System

The SPA has an approved Comprehensive System Plan. As a result, the SPA has received federal monies to support the Criminal Justice Data Center, Technical Assistance, and the Management and Administrative Information System modules of the CDS.

The Department of Justice is preparing to undertake the development and implementation of the OBTS/CCH module. The Uniform Crime Report module has not been undertaken at this time.

Table B-11
Criminal Justice Data Center
Budget 1975

Personnel	$ 65,196.00
Consultant Services	-0-
Travel & Per Diem	9,168.00
Equipment	7,095.00
Operating Expense	4,813.00
TOTAL	$ 86,272.00

The Department of Livestock is supervised by the Board of Livestock, comprised of 7 members appointed by the Governor. From this membership the Governor also appoints the board chairman.

The department operates 2 divisions, the Animal Health Division and the Brands-Enforcement Division.

BRANDS-ENFORCEMENT DIVISION

The division administrator and staff of 12 are located in the Livestock Building in Helena. The primary function of the office is the collection and maintenance of records and the coordination and supervision of field activities.

In the field there are 10 field stock inspectors and 43 market inspectors operating in 10 Field Districts as shown in Illustration B-8.

The Brands-Enforcement Division records all brands and transfers of livestock throughout the state and in surrounding states and regulates markets and livestock dealers.

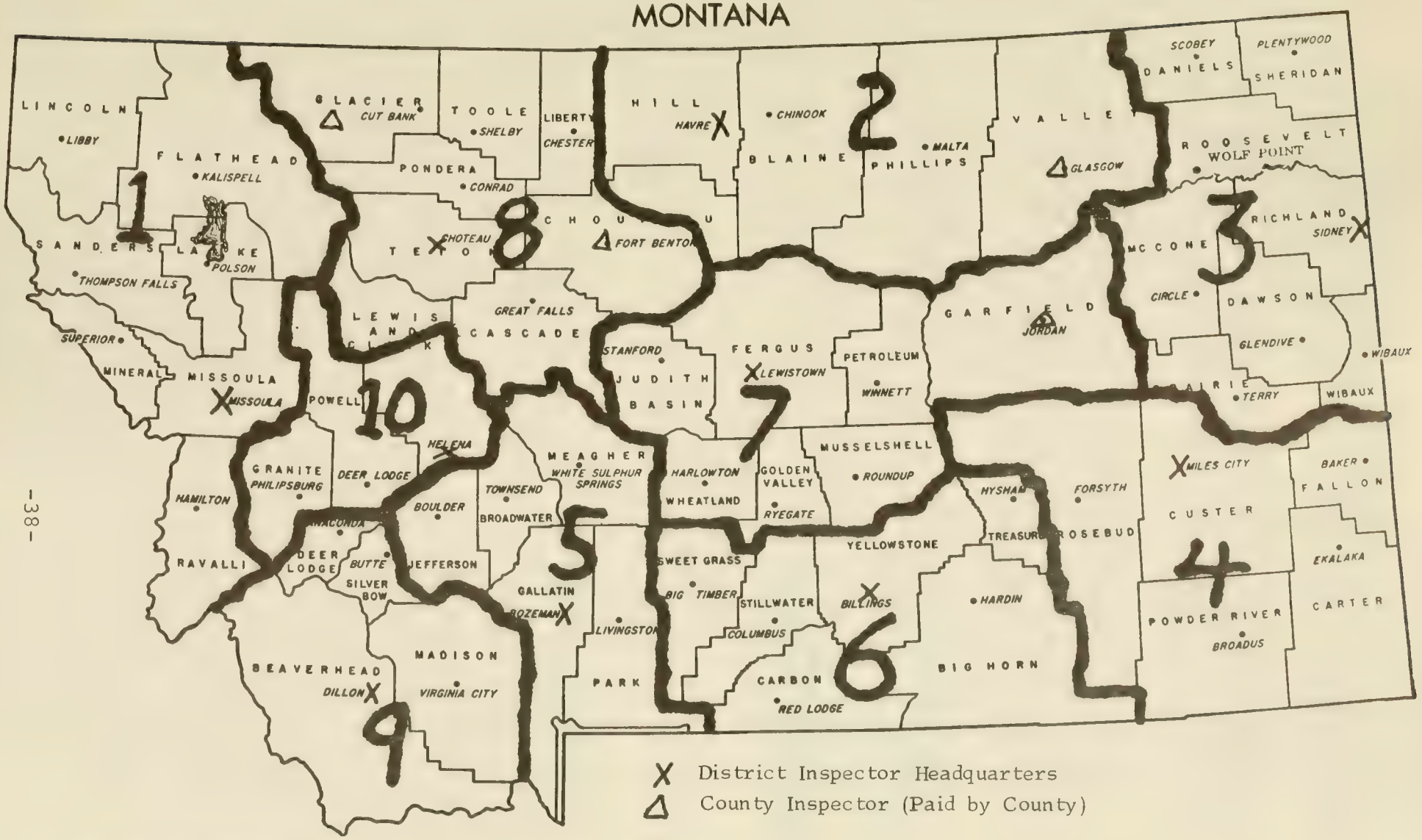
Inspectors are responsible for the investigation of all lost and/or stolen livestock. Regular inspections are made of proper brands at all sales, of cattle transported over county and state lines, of the sale of estray livestock or mortgaged cattle. Inspectors also investigate violations of market laws and dealer licensing laws.

All Field Stock Inspectors receive specialized training in brand inspection and cattle movement inspection plus basic law enforcement training.

Table B-12
Brand-Enforcement Division
Activities Summary

	FY1974	FY1975
Market Inspections		
Cattle	1,109,987	1,138,269
Horses	15,530	12,398
Livestock returned to owner		
Cattle	888	530
Horses	47	97
Lost or Stolen		
Cattle	870	763
Horses	47	53
Felony cases investigated	87	56
Misdemeanor cases investigated	34	40

Montana Livestock Commission Field Districts



No. 1052 - County Outline Map
STATE PUBLISHING COMPANY
Helena

ILLUSTRATION B-9

Data on convictions is not available on a statewide basis and must be recovered from the records of local jurisdictions.

Inspectors generally coordinate their activities and investigations with County Sheriffs, County Attorneys, Highway Patrol, Fish & Game, Division of Weights and Measures, as well as Federal law enforcement agencies and other state agencies.

In cooperation with the Highway Patrol Bureau, a new livestock inspection form has been devised by the Division. The use of this form will enable the patrol to make a complete inspection of transported livestock. This mutual effort is expected to reduce the increasing number of illegally transported livestock.

Livestock Inspectors are equipped with mobile radios mounted in their own personal vehicles and have access to portable, personal radios when investigations require them.

Presently the Division has 25 mobile radios, 4 portable radios, a helicopter, and various other law enforcement equipment.

Table B-13
Livestock Inspection & Control
Program Cost Summary
FY 1974-75

	FY 1974
Expenditures by Category	
Personal Services	$586,236.00
Operating Expenses	196,963.00
Equipment	5,632.00
Grants and Benefits	--------
	$788,831.00
Sources of Funding	
Livestock Commission E.R.A.	$762,626.00
Fed. & Private Revenue Fund	26,205.00
	$788,831.00

	FY 197[illegible]
Expenditures by Category	
Personal Services	$752,647.00
Operating Expense	164,829.00
Equipment	1,025.00
	$918,501.00

Table B-13(Cont'd.)

Sources of Funding

Livestock Commission E.R.A.	$886,119.00
Fed. & Private Revenue Fund	32,382.00
	$918,501.00

DEPARTMENT OF FISH AND GAME

The Department of Fish and Game is supervised by a commission of 5 members, all appointed by the Governor. The Governor also appoints the chairman of the commission and the Director of the Department.

The Law Enforcement Division, headed by an administrator, maintains general headquarters in Helena and 7 regional offices. The organization of the division is shown in Illustration B-10.

Each enforcement unit in the seven districts is directed by a warden captain, who supervises sergeants and wardens in his command.

Currently there are 82 uniformed warden officers, all equipped with sedans, pick-up trucks, or suburbans. All vehicles are equipped with mobile radios. In addition to land vehicles, the Department operates 4 fixed-wing aircraft and one helicopter.

State Fish and Game wardens are designated as peace officers by statute. Besides enforcing fish and game laws, they have specific authority to enforce snowmobile laws, boating laws, parks laws, and litter laws, and to deal with vandalism of private property.

Many game wardens have been appointed deputy sheriffs in the counties they are stationed in, and they assist the sheriffs in performing law enforcement functions within the counties. In 1975, game wardens assisted local law enforcement agencies in 939 cases. Part of their training is in specialized schools at the Law Enforcement Academy in Bozeman.

Table B-14
Fish and Game Enforcement Division

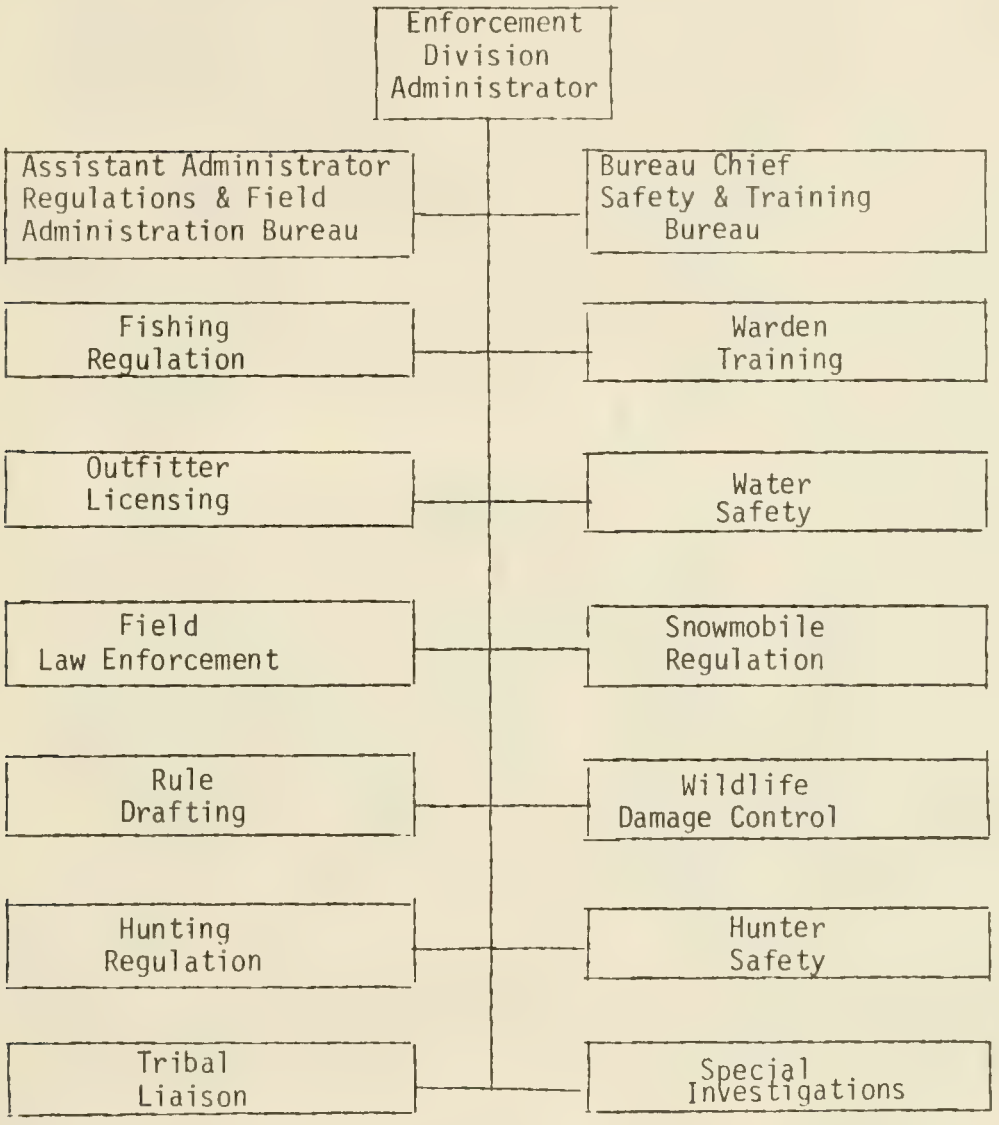
	FY1974	FY1975
Creel Checks	40,586	35,776
Game Bag Checks	39,084	41,518
Notice to Appear and Complaint Forms Issued	3,614	2,539
Courtesy Citations Issued	876	841
TOTAL LICENSES SOLD	1,171,863	1,088,679

Table B-15
Fish and Game Enforcement Division

	FY1975
Personal Services	$1,472,839
Operations	485,341
Equipment	9,126
Capital Outlay	0
	$1,967,056
Earmarked Revenue	$1,905,973
Federal & Private Revenue	61,083
TOTAL	$1,967,056

ILLUSTRATION B-10

Department of Fish & Game Organization



PEACE OFFICERS STANDARDS AND TRAINING (P.O.S.T.)

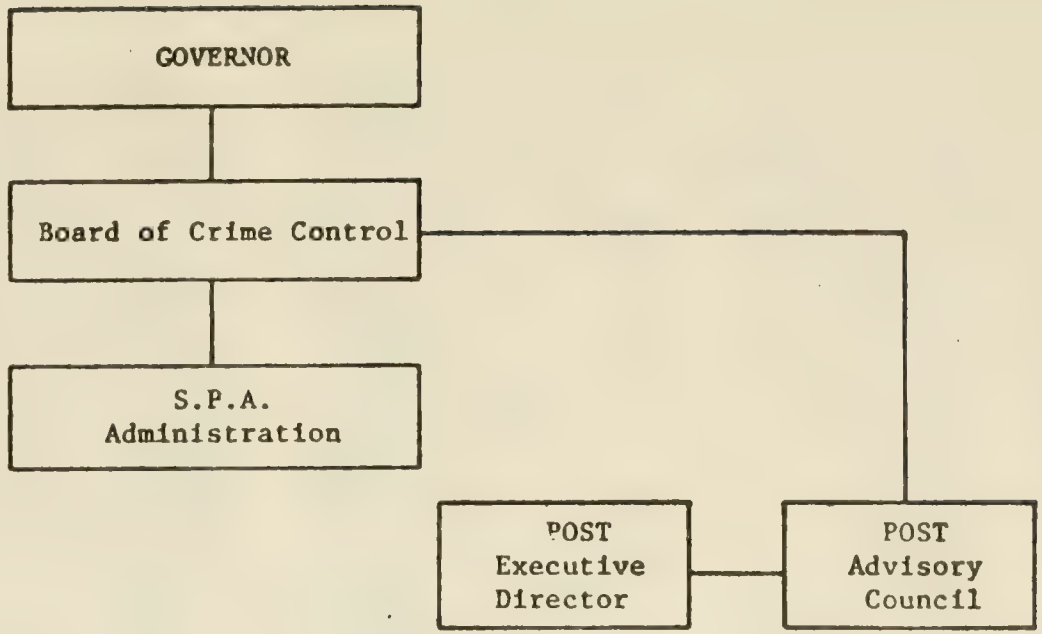
The POST program in Montana has been functional since November 1, 1972. During that period the following training courses have been designed and mandated: The Basic Course of 280 hours, the Intermediate Course of 80 hours, and the Advanced Course of 80 hours. Nine minimum selection standards have been established and mandated. A certification program has been established. At the end of the 1974-75 fiscal year, 550 officers had earned the Basic Certificate, 115 had earned the Intermediate Certificate, 49 had earned the Advanced Certificate, and 72 had earned the Instructor Certificate. A video-cassette training program was established to fill some of the gaps existing in training throughout the state. Tests have been devised to determine what material the officers are retaining and these tests are administered by each agency using this training program.

Plans for the coming year include expanding the video-cassette training program with additional players and programs. The 2 new machines would be located in the Glasgow-Wolf Point area; another would be in the Miles City area. Because of the number of agencies forming intelligence groups, POST has been asked to sponsor an intelligence school in Helena. This will involve training 8 men from Billings, Missoula, Bozeman, and Butte (2 men from each city); and possibly Helena. The training will be conducted by the two officers from Great Falls who attended the National Intelligence Academy in Florida. More informational handouts will be issued this year and procedural manuals will be prepared.

POST has developed a survey to be mailed to all law enforcement agencies on uncompensated volunteers. The results from this survey will guide the POST Council in promulgating rules governing the selection and training of such volunteers.

To assist small agencies in providing in-service training for their officers, POST plans to provide the IACP training series for 50 officers. These will be issued only to those agencies entering into an agreement with POST requesting such assistance.

Three additional courses are being designed to be mandated in 1976. The first, the Supervisory Course, has already been designed and presented to the POST Council for study. The second is the Command Course and the third is the Administrative Course. The plans are to have the Basic, Intermediate, Advanced, Supervisor, Command, and Administrative Courses as mandated courses and fully funded by the state. This goal has been met for the first 3 courses, and it is anticipated that the last 3 will be included by the end of 1976.



ACADEMY PROGRAMS	PERSONNEL STANDARDS	SCHOOL CERTIFICATION	SERVICES
MLEA Curriculum Design Basic Training Intermediate Training Advanced Training Supervisory Training Command Training Administrative Training Instructor Training	Employment, Recruiting & Career Counseling Certification, Training & Employment Records for 1600 peace officers. Standards Compliance	Certification of courses, schools and instructors.	Surveys Policy & Guideline Development

ILLUSTRATION B- 11

POST Organization

Table B-16
The Basic Course

Requirement (effective January 1, 1975)

Successful completion of 280 hours of instruction in the following minimum prescribed subject areas at a certified training school:

Curriculum	Hours
I. Introduction to Law Enforcement	3
II. Criminal Law	37
III. Criminal Evidence	20
IV. Criminal Investigation	60
V. Patrol Procedures	70
VI. Traffic	8
VII. Juvenile Procedures	2
VIII. Firearms	45
IX. First Aid	16
X. Written Examinations	7
TOTAL	280

The Board adopted a Law Enforcement Code of Ethics; signed affirmation of the code is a requirement for certification. The Board also developed a 200 (originally) hour basic training curriculum as a requirement for all newly appointed peace officers, as well as training curricula for the intermediate and advanced courses.

The POST Advisory Council developed forms to be used in the selection of peace officers and instituted a cooperative arrangement with the Montana Employment Service for administering written tests to all law enforcement applicants.

A training survey pointed out the need for trained police instructors. As a result, the POST Advisory Council funded an instructor's course at the Montana Law Enforcement Academy, taught by Northwestern University Traffic Institute instructors. Twenty-two peace officers graduated from the 2-week course.

The POST Advisory Council received requests from sheriffs and chiefs of police to study the mushrooming problem of private security police. Montana has no statutes regulating this industry. The study was made and the executive director submitted a report with recommendations to assist the Attorney General in drafting appropriate legislation regulating the private security industry and its personnel.

The Advisory Council received similar requests concerning the regulation of private and public polygraph operators following reports that untrained and unqualified private polygraph operators were abusing the public. Montana does not provide for the regulation of this function in either the private or public areas. A bill has been submitted to the legislature to regulate operators.

The Council also addressed the problem of police agencies of some third and fourth class cities which are not included in the Montana Metropolitan Police Act, and drafted legislation providing for a civil service type system with retirement benefits for all police officers. The Council believes that all sworn peace officers should be part of a civil service system that insures the officers' job security against unfair hiring and dismissal practices.

During 1974, the Council spent considerable time rewriting the standards regulations. It increased the Basic Course requirement to 280 hours of training (as shown in Table B-16). The Intermediate Course was changed to increase the expertise of local peace officers in the area of investigations. The Advanced Course was changed to give the officers a broad overview of law enforcement and introduce them to innovations in techniques and procedures. The Council also tightened the regulations governing the operation of training schools and the certification of instructors. The new regulations went into effect as of January 1, 1975.

The POST Director has assisted the administrator of the Department of Professional and Occupational Licensing in drafting regulations to assist in fulfilling the requirements of the law. The POST Council also sponsored a bill which passed allowing highway patrolmen and police officers to be covered by Social Security.

COUNTY AGENCIES

County Sheriffs

The sheriffs of Montana are the primary law enforcement officers of their respective counties. With the state's sparse and scattered population, the office assumes an importance in the overall law enforcement picture not found in many other areas of the country.

State law provides that each county (56) shall have as one of its elected officers a sheriff who by statute is directed to:

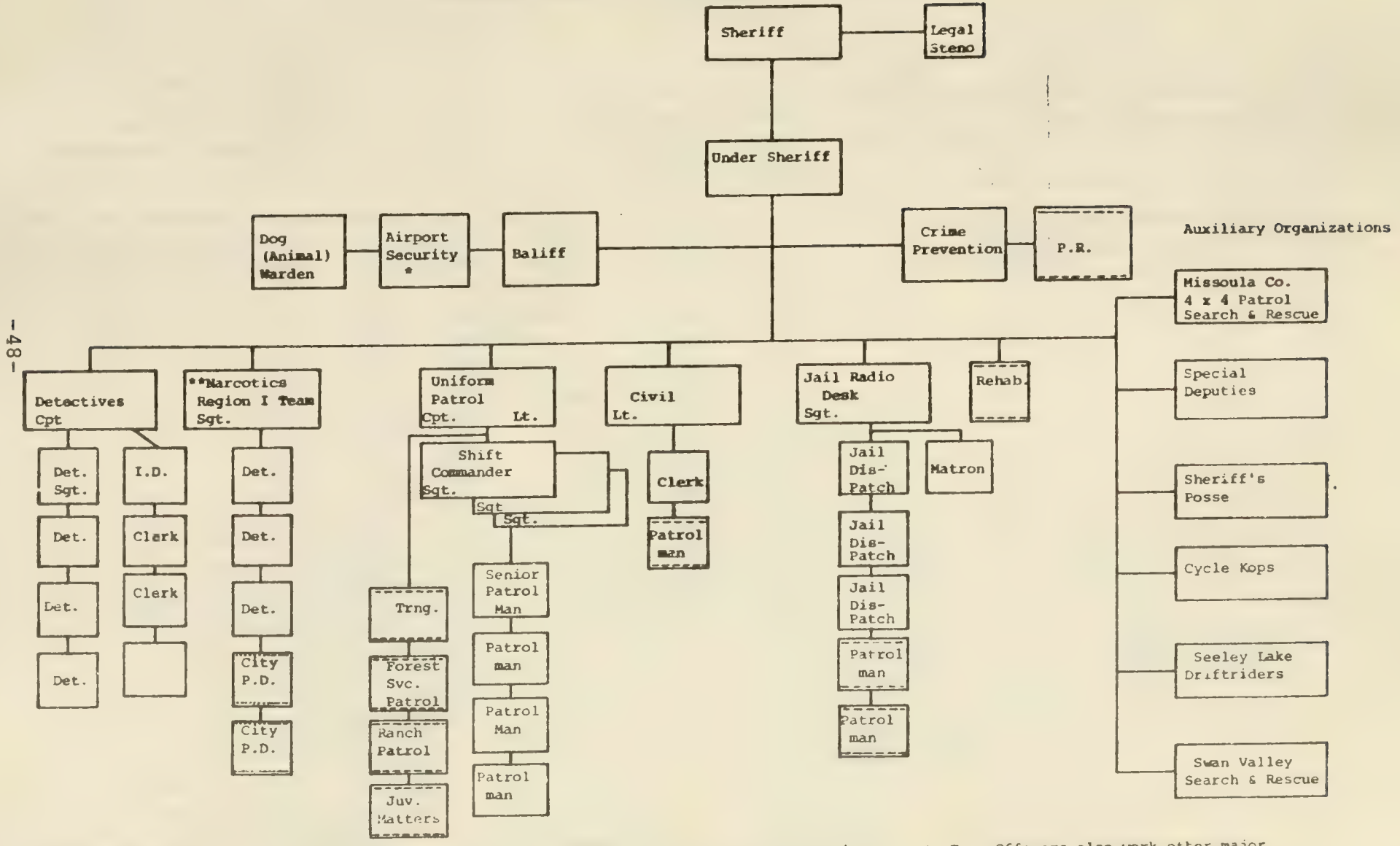
(1) Preserve the peace.
(2) Arrest all persons who attempt to commit or have committed a public offense and take same before the nearest magistrate for examination.
(3) Prevent and suppress all affrays, breaches of the peace, riots, and insurrections which come to his knowledge.
(4) Attend all courts, with the exception of justice of the peace and police courts, at their respective terms of sessions, held within the county and obey their orders and directions.
(5) Furnish bailiff for all district courts.
(6) Command the aid of as many male inhabitants of the county as he may think necessary in the execution of his duties.
(7) Supervise the county jail and the prisoners therein.

The organizational structure of the various sheriffs' departments vary somewhat according to department size but generally include in addition to the sheriff himself, an undersheriff (in the case of a few departments, a chief deputy), deputy sheriffs, and civilian office personnel. Illustrations B-12 and B-13 show the organization of a large and small department respectively.

Facilities (administrative, operational, and custodial), range from ancient to simply old. Typically housed in or around county court houses and/or county jails, sheriffs operate under lean budgets at best and out of pocket at worst.

Statewide, the sheriffs' departments operate 255 vehicles with which they must patrol 147,138 square miles. The area contains 735,000 citizens. The roads traversed total 78,488 miles, of which 12,448 miles are improved and 66,040 miles unimproved.

Illustration B- 12
Missoula County Sheriff's Office



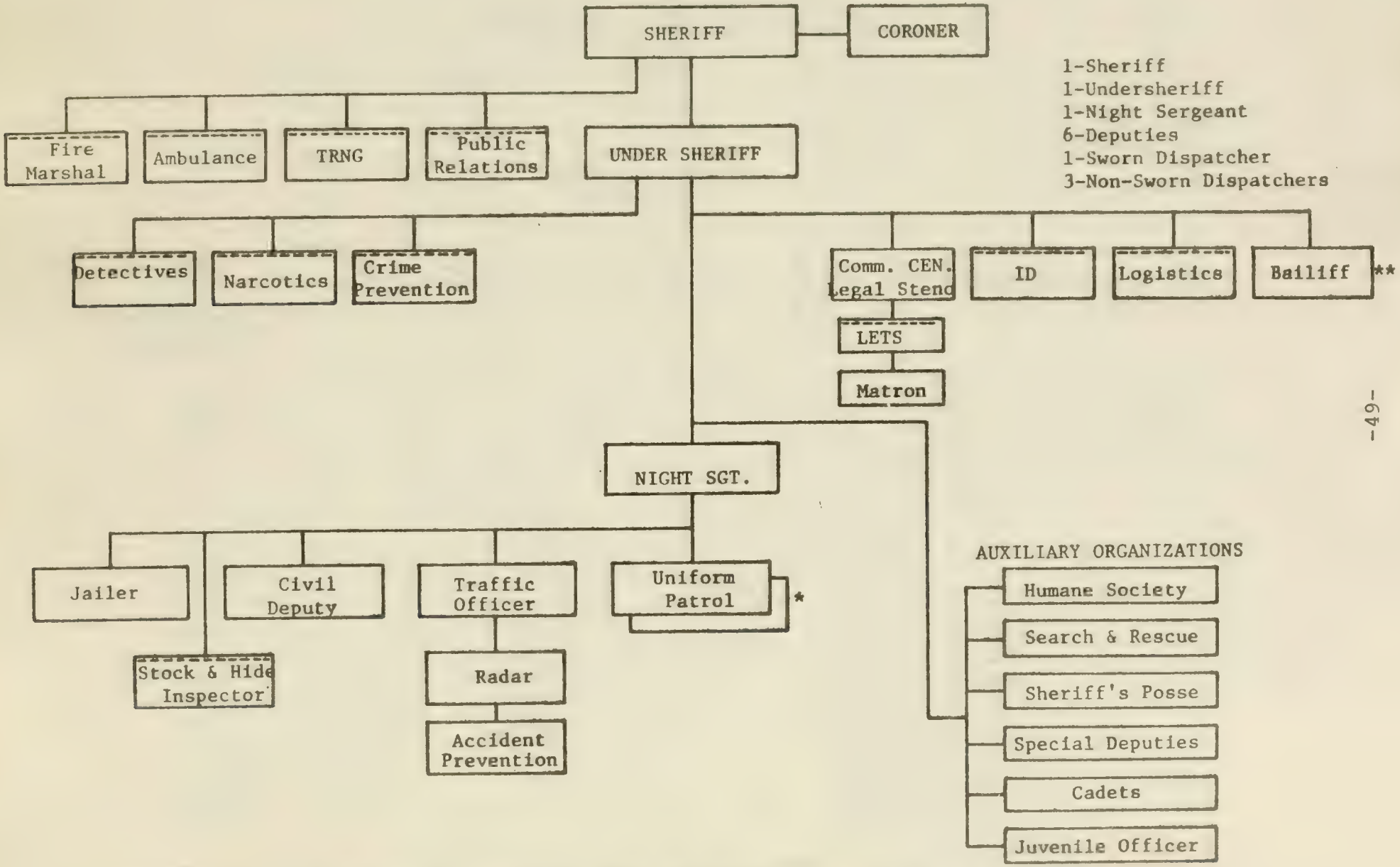
* Indicates technical Supervision & Training

Indicates Part-time or additional duty

Indicates as needed basis or provided by other agencies

** Term Officers also work other major felonies and vice cases + throughout state

Illustration B-13
Ravalli County Sheriff's Office



The statutory duties mentioned previously make up the following time percentages:

Table B-17
Average Activities Summary
Sheriff's Departments Statewide

Activity	Percentage Time
Patrol	39.6%
Traffic	6.8%
Criminal Investigation	33.8%
Administration	14.1%
Civil Process & Livestock Inspection	7.7%

The charts of illustrations B-14 and B-15 show the total of felony and misdemeanor arrests made by sheriffs, 1971-74.

Additional activities include:

(1) Livestock brand and hide inspections plus slaughter beef stamp certification;
(2) Humane officer duties;
(3) Rural fire warden;
(4) Incarceration, care, welfare, hearings and transporting of the adjudicated insane;
(5) Prison furlough and work-release program management and supervision;
(6) Search and rescue operations;
(7) Fish and Game law enforcement;
(8) Patrol and protection of public lands; and,
(9) Transporting prisoners both within and out-of-state

The service of process, executions, and other civil papers is another major function of the sheriff's office requiring many man hours. In some jurisdictions where the civil process duties are large, manpower which should be used in law enforcement is diverted to time-consuming civil functions, which causes workload imbalances for the department.

To illustrate this, a typical small (6 sworn officers including the sheriff) sheriff's department is presented in terms of civil process activity.

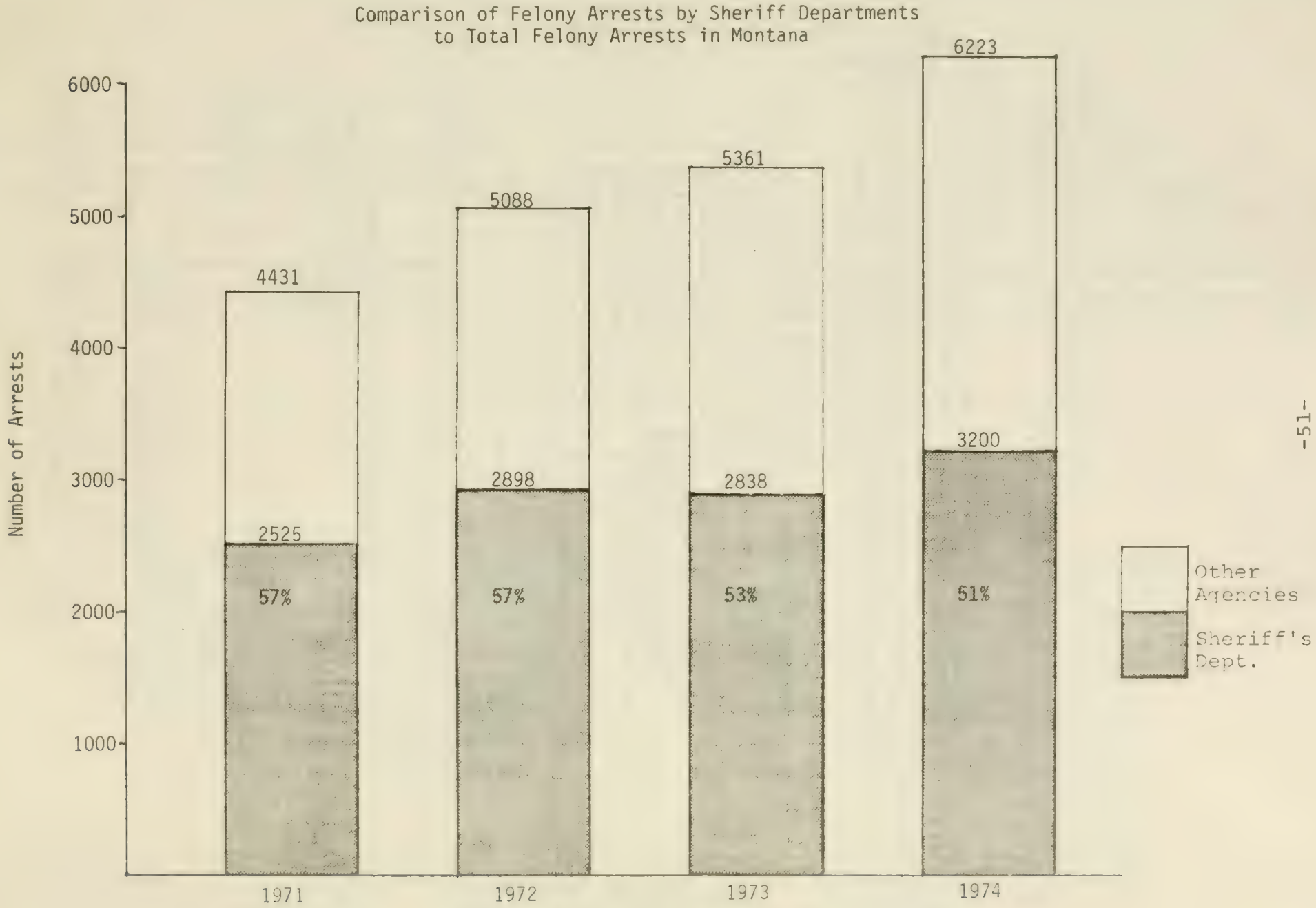


ILLUSTRATION B-14

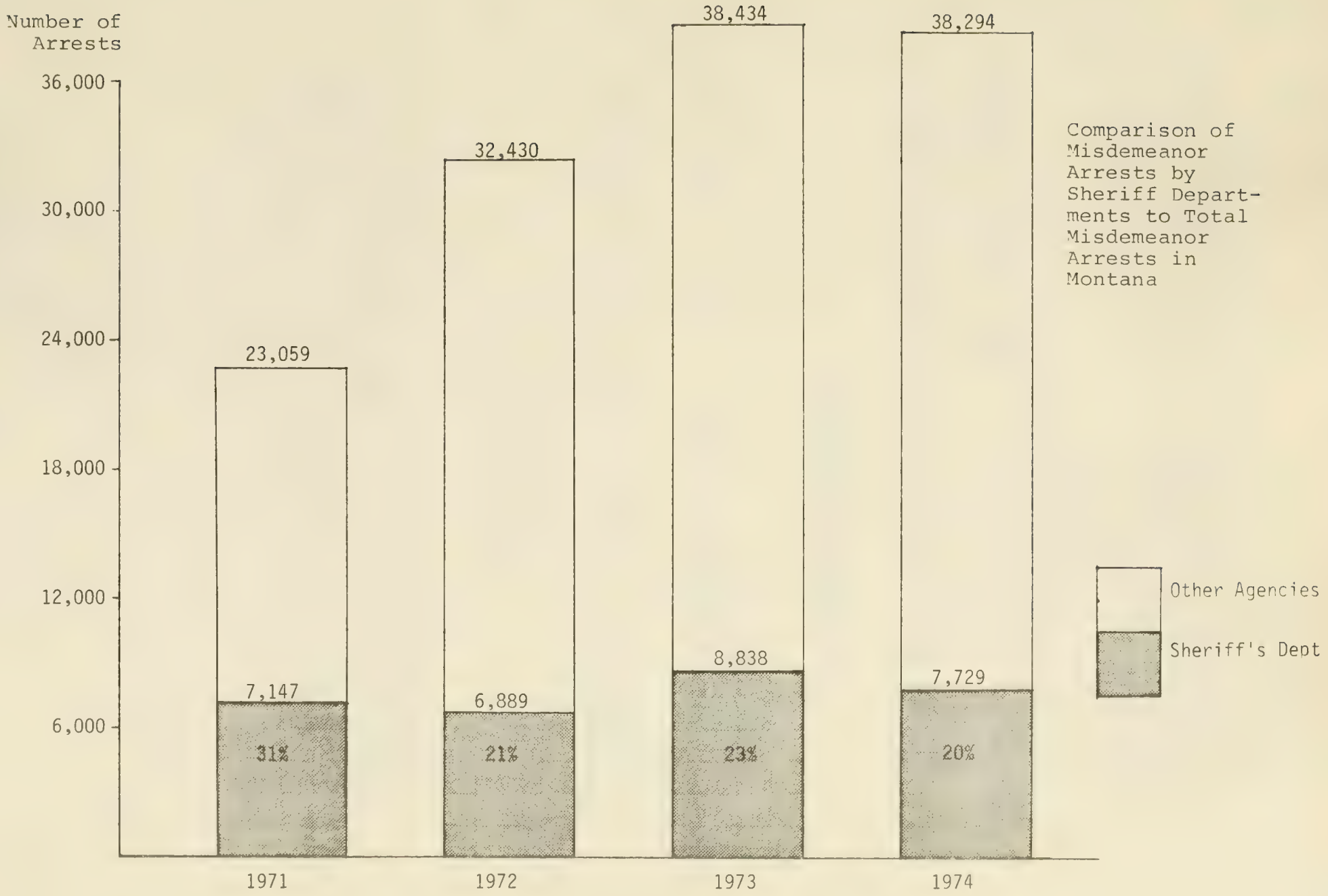


ILLUSTRATION B-15

There were 597 civil papers served in 1972, 83 more than in the record year of 1971, when 514 were served. There are one or more persons served in each set of papers and the highest number of persons served in any one set was 41.

Table B-18
Yearly Comparison
Of Civil Processes
Served By Sheriff

	1970	1971	1972
Civil Processes Served	330	514	597

The manpower available to perform these activities in the 56 counties is indicated below.

Table B-19
Sheriff's Department
Manpower Statewide

Sworn	425
Non-Sworn	166
Special Deputies	127
Posse and/or Search & Rescue	1,237

Communications equipment utilized by all sheriff's departments is:

15 Console Base Radios
352 Mobile Radios
133 Portable Radios
29 Teletype Terminals

On a cooperative basis, sheriff's personnel work closely with police departments within their county jurisdictions and with various state agencies such as the Fish and Game Department, the Highway Patrol, the Department of Livestock, the Fire Marshal's Bureau, the Investigation, Communications and Identification Division of the Department of Justice, and federal agencies requesting their aid and assistance.

Development and maintenance of professional skills and competence are accomplished through training at the Law Enforcement Academy in Bozeman. In a few instances, an active in-service training program is available within the department. Out-of-state schools, particularly in speciality areas such as narcotics, juvenile delinquency, photography, polygraph, etc., are available through federal funding.

The average sheriff and his deputies have had approximately 325 hours of law enforcement training. This average increases each year because of added training opportunities both in and out of state.

Costs of operating all of the sheriffs' departments in the state is estimated at $4,000,000 plus per year and is increasing steadily.

Table B-20
Missoula County Sheriff's Department
Budget 1974

Personnel	394,806
Administrative Costs:	
Communications	14,196
Staff training	2,338
Uniform Allowance	5,880
Other Administrative Costs	3,504
Investigative Costs:	
I.D. Photo & Laboratory Costs	854
Other Investigative Costs	759
Jail Operating Costs:	
Food Service Costs	11,041
Medical Care - prisoners	6,331
Operating Supplies & Repairs	2,259
Clothing & Bedding Costs	1,032
Vehicle Operations	38,635
Other Operating Costs	2,513
TOTAL OPERATING BUDGET	484,148

CITY AGENCIES

Police

Currently there are 125 incorporated cities and towns in the state, of which 84 maintain an organized police department headed by a chief of police.

According to the latest census (1970) these 84 cities and towns have a combined population of 381,786, representing 52% of the state's total population.

This population is policed by 609 sworn officers at a 1.59:1 ratio of sworn officers to 1,000 population. These officers have jurisdiction over 247,938 miles of city streets.

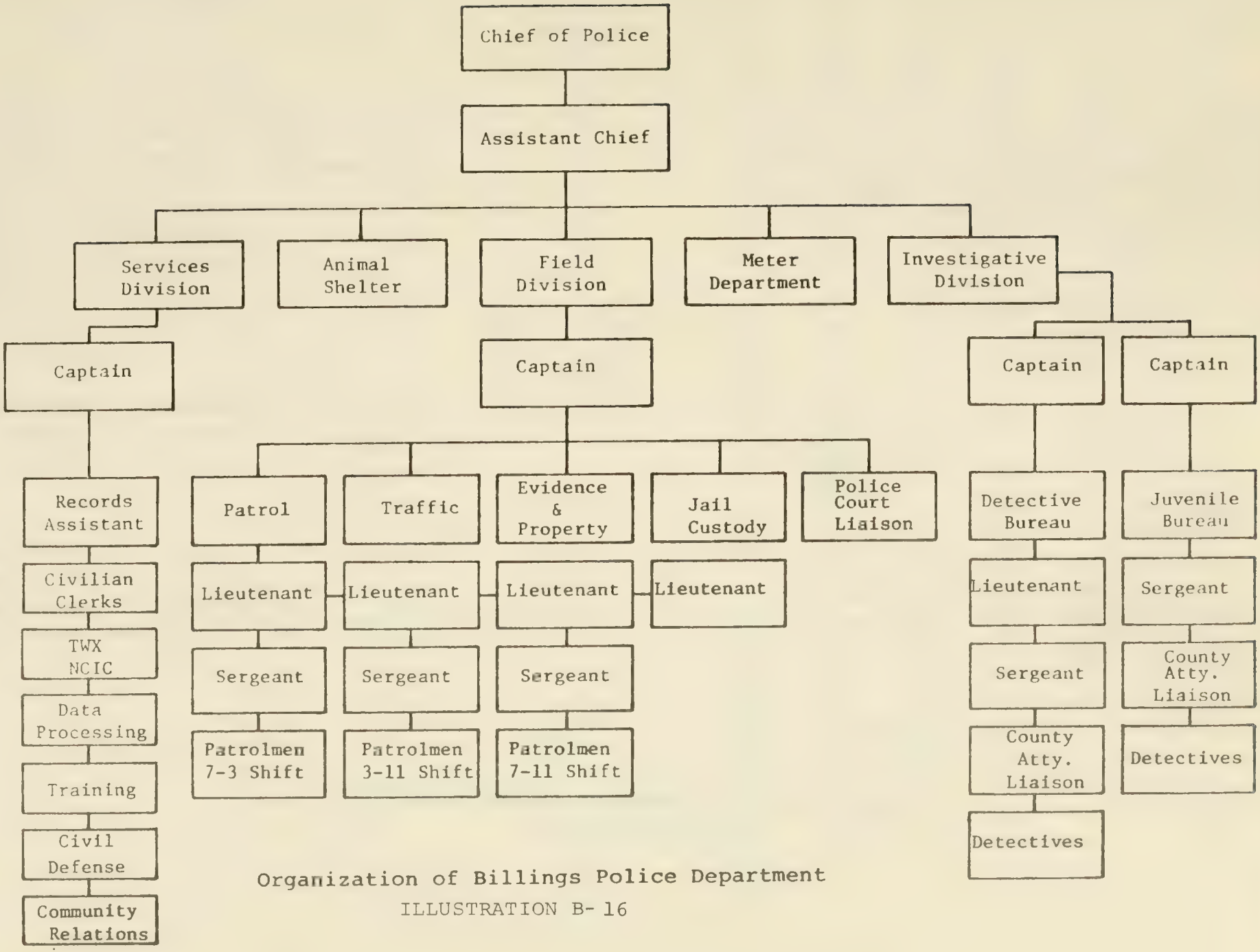
In many incorporated cities and towns without an organized police department, a deputy sheriff is assigned to the community to furnish some local law enforcement.

Police departments of first, second, and those third class cities that elect to do so are regulated by the Metropolitan Police Act, a civil service type system that establishes a three-man police commission appointed by the mayor or city manager, who has the authority to appoint officers to the police force and to exercise supervision over the department. In those cities and towns not included under the Metropolitan Police Act, the mayor or city manager has full authority to discharge law enforcement officers with or without cause where the department consists of one or two officers; otherwise, the police commission has the authority.

A police commission has multiple functions, which include:

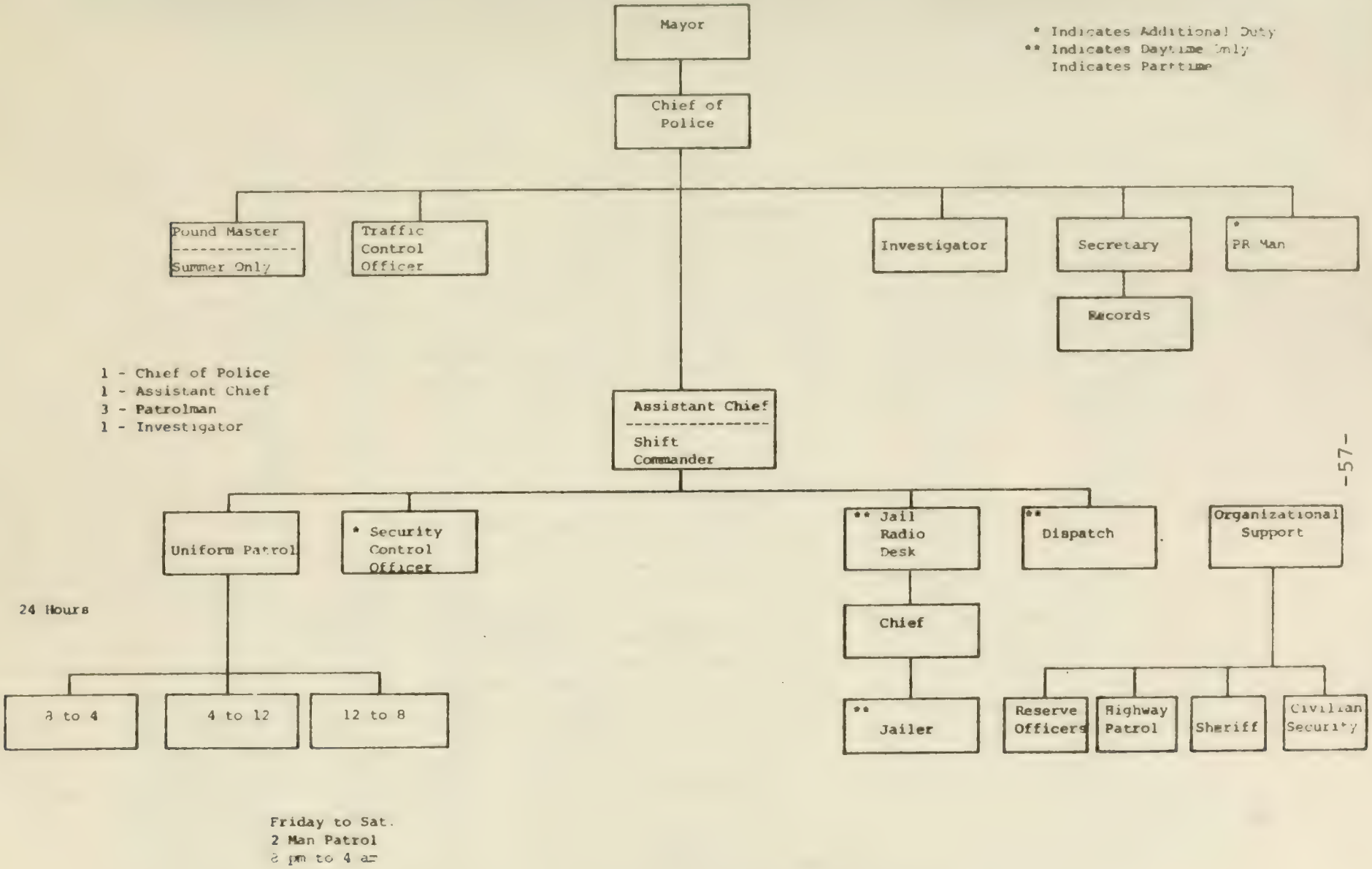
(1) certifying police applicants
(2) holding hearings regarding formal charges lodged against police personnel
(3) examining police officer applicants as to their legal, mental, moral, and physical qualifications
(4) referring applicants to the mayor or city manager for final approval

The typical police organization is directed and supervised by a chief of police. Illustrations B-16 and B-17 show the organization of a large and small department respectively. State police departments range in size from 1 to 101 sworn officers.



Organization of Billings Police Department

ILLUSTRATION B-16



Organization of Hamilton Police Department

ILLUSTRATION B- 17

Activities vary in quantity and types of service, but include the following functions: prevention and detection of criminal activity, apprehension of suspected offenders, participation in court proceedings, protection of consitutional guarantees, assistance to those who cannot care for themselves or who are in danger of physical harm, traffic control, conflict resolution, creation and maintenance of a feeling of security in the community, promotion and preservation of civil order.

The public telephoned the Billings Police Department 113,195 during 1974, averaging one call every 4.6 minutes. This represents a 4% increase over the previous year.

During 1973 Billings patrol cars traveled 626,734 miles and the motorcycles patrolled 40,739 miles, for a total of 667,473 miles.

A special business burglary prevention team inspected Billings city businesses that requested assistance in helping make their establishments less vulnerable to burglars.

The classification and number of crimes reported and investigated by the department are enumerated in the chart on the following page, REPORTED OFFENSES - 1974 (Table B-21).

TABLE B-21
Billings Police Department
Reported Offenses - 1974

Offense	No. of Offenses	Cleared By Arrest	Juveniles Involved	%Cleared By Arrest	%Cleared by Juv. Arrest
Homicide	0	0		0.0%	
Manslaughter	4	3		75.0%	
Forcible Rape	13	5		38.5%	
Attempted Rape	5	4	1	80.0%	20.0
Armed Robbery	30	12	4	40.0%	13.3
Strong-Arm Robbery	32	13	5	40.6%	15.6
Assault-Gun	15	12	2	80.0%	13.3
-Cutting Inst.	23	12	1	52.2%	4.4
-Hands,fists, feet, etc.	10	2		20.0%	0.0
-Other Weapon	27	10	1	37.0%	3.7
-Non-Aggravated	62	33	5	53.2%	8.1
Sub-Total	221	106	19	48.0%	8.6
Burglary-Force	514	144	40	28.0%	7.8
-No Force	377	34	12	9.0%	3.2
-Att. Force	75	5	1	6.7%	1.3
Larceny-Theft	3,928	697	369	17.7%	9.4
Motor Vehicle Theft	311	28	19	9.0%	6.1
Sub-Total	5,205	878	411	16.9	7.9
GRAND TOTAL	5,426	984	460	18.1	8.5

The following examination of a typical small police department (6 sworn officers) in Hamilton, Montana, illustrates activity and time utilization characteristics.

Table B-22
Small Department Time Utilization & Duties

Arrest	Booking
a. field investigation	a. prisoner transport to jail
b. contact with subject (traffic stop or field contact)	b. complete booking documents
c. interviews and interrogation	c. subject phonecalls
d. arrest of subject	d. contact judge for bonding
	e. incarceration of subject
MINIMUM TIME CONSUMED: 30 MINUTES	MINIMUM TIME CONSUMED: 60 MINUTES
Court	**Reports**
a. courts	a. investigation reports
b. court standby during session	b. booking forms
c. final disposition	c. interviews and statements
	d. citations
	e. record keeping and filing
MINIMUM TIME CONSUMED: 2 HOURS	MINIMUM TIME CONSUMED: 2 HOURS

The minimum time consumed on a fairly uncomplicated arrest is 5½ hours and on a more complex arrest, 5½ to 9 hours.

TABLE B-23
Investigations by Small Department
Hamilton City Police Department
January 1, 1974 thru December 31, 1974

Offense	Actual Offenses	Number Cleared	Percent Cleared by Arrest
Murder	0	0	0.0
Rape	0	0	0.0
Robbery	1	1	100.0
Aggravated Asslt.	9	4	44.4
Burglary	23	9	39.1
Larceny Theft	133	35	26.3
Motor Veh. Theft	10	5	50.0
Total 7 Major Offenses	176	54	30.36

Table B-23 (Cont'd.)

Neg. Manslaughter	0	0	0.0
Simple Assault	2	1	50.0
Arson	1	0	0.0
Forgery	8	2	25.0
Fraud	2	0	0.0
Stolen Property Receiving, etc.	1	0	0.0
Vandalism	63	11	17.4
Narcotic Drug Laws	6	5	83.3
Offenses Against Family	16	10	62.5
Total Other Offenses	99	29	29.2
GRAND TOTAL	275	83	30.1

"Miscellaneous" includes various juvenile cases, possible breaking and entering with no theft involved, lost items, false or unfounded reports, matters found to be civil, gambling incidents, etc.

If the rate of solved versus unsolved were listed on a monthly basis, it would fluctuate as to whether there was a regular investigator on shift. Due to duty factors this is not always possible. Although the shifts are rather limited with routine and daily problems at the top of the list, the percentage of completed/solved investigations is gradually rising.

The listed activities do not include traffic control, which is a steady problem, public-community relations, phonecalls, door checks, routine checks, assistance to other agencies, routine-preventive patrol, indirect supervision of school activities, ambulance and funeral escorts, delivery of various notices, civil problems, etc. All these require constant activity by the Hamilton Police Department.

Table B-24

Statewide Police Activities Summary
Average Time Spent on Activities

Activity	Percentage Time
Patrolling, preserving the peace, domestic disturbances	30.1%
Traffic and accident investigation	13.0%
Criminal Investigation	13.6%
Court Services	6.5%
Report Preparation	10.1%
Administration	9.2%
Community Relations	1.7%
Other	15.8%

The facilities provided for law enforcement departments are minimal in the majority of jurisdictions.

Operating budgets are the classical "day late and a dollar short" variety.

Statewide, the estimated budget expenditures of 52 police departments for the year 1975 is $6,711,328, a 16% increase over the previous year.

CONSTABLES

Although all townships in the state are required by law to have two constables, there are currently 32 constables in Montana. Jurisdiction is limited to the county in which the township is located. Constables attend justice of the peace courts, and execute and serve all processes and notices directed or delivered to them by the J.P. They are given the same law enforcement powers as the sheriffs, and are a secondary source of law enforcement within the county.

In smaller unincorporated towns having neither a sheriff immediately present or a police department, the constable is often the only law enforcement officer available. In more heavily populated areas which have both police departments and well-staffed sheriffs' offices, the constable's role in law enforcement is minimal.

No information is available concerning constables' resources and facilities.

TOWN MARSHAL

The town marshal has almost ceased to exist in the law enforcement structure of this state. Historically, the town marshal was often the only bona-fide peace officer available in small towns. Today he has been replaced by a chief of police who acts alone or with one or two additional part-time or full-time officers.

The few active town marshals work mostly as nighttime fire watchers and door shakers. Most are unsworn and unarmed.

The sworn town marshals are sworn as special deputy sheriffs and work as a secondary source for sheriffs' departments. These people work out of their homes and utilize the resources of the sheriffs' departments for jail facilities, communications, records, etc. There are fewer than 5 sworn town marshals and fewer than 15 non-sworn town marshals presently active. They are paid out of the town funds.

OTHER AGENCIES

Indian Reservations

Montana has within its boundaries seven Indian reservations covering 13,042.8 square miles or 8.8% of its total area, and including 36,443 Indians or 5.2% of the total state population. The following map, Illustration B-18 shows reservation locations. Tribal enrollees migrate to and from each of these reservations and many maintain their tribal status while not actually living on the reservations. Montana's Indian population ranks sixth among the states.

All of the tribes have experienced rather spectacular population increases in recent years. As a result of an annual growth rate of about 1.5%, nearly 60% of Montana's Indians are 25 years of age or under, with the median age estimated to be 22.5 years.

Each of the 7 Indian reservations has a governing body legally constituted as a local unit of government. Though similar in nature, each has elements that contrast it with the other six concerning membership rules for enrollee status, procedures for doing business, and overall mechanics of handling their individual judicial prevention and enforcement services. For purposes of criminal justice planning and grant assistance, each is classified as a local unit of government.

In 1968 the United States Congress passed the Omnibus Crime Control and Safe Strees Act. The framers of this new law emphasized that law and order is the responsibility of local governments and provided money to be granted to local governments to help them carry out this responsibility. Indian tribes, as units of local government, may apply for these funds.

The following information represents a condensed view of each Indian reservation as it relates to the Indian Tribal Police.

THE FLATHEAD INDIAN RESERVATION

The Flathead Indian Reservation (614,846 acres) is located on the western slopes of the Continental Divide in northwestern Montana. It is the home ground of the Confederated Salish and Kootenai Tribes. It has concurrent jurisdiction with the state in criminal justice and some civil matters.

Of the 14,000 persons estimated to be living on the Flathead Reservation, only 3,122 are Indians. The principal source of income is timber sales. There is a total of 1,368 miles of road in the reservation's jurisdiction.

The tribal police department is manned 24 hours a day. One criminal investigation officer employed by the Bureau of Indian Affairs presides over crime prevention programs and

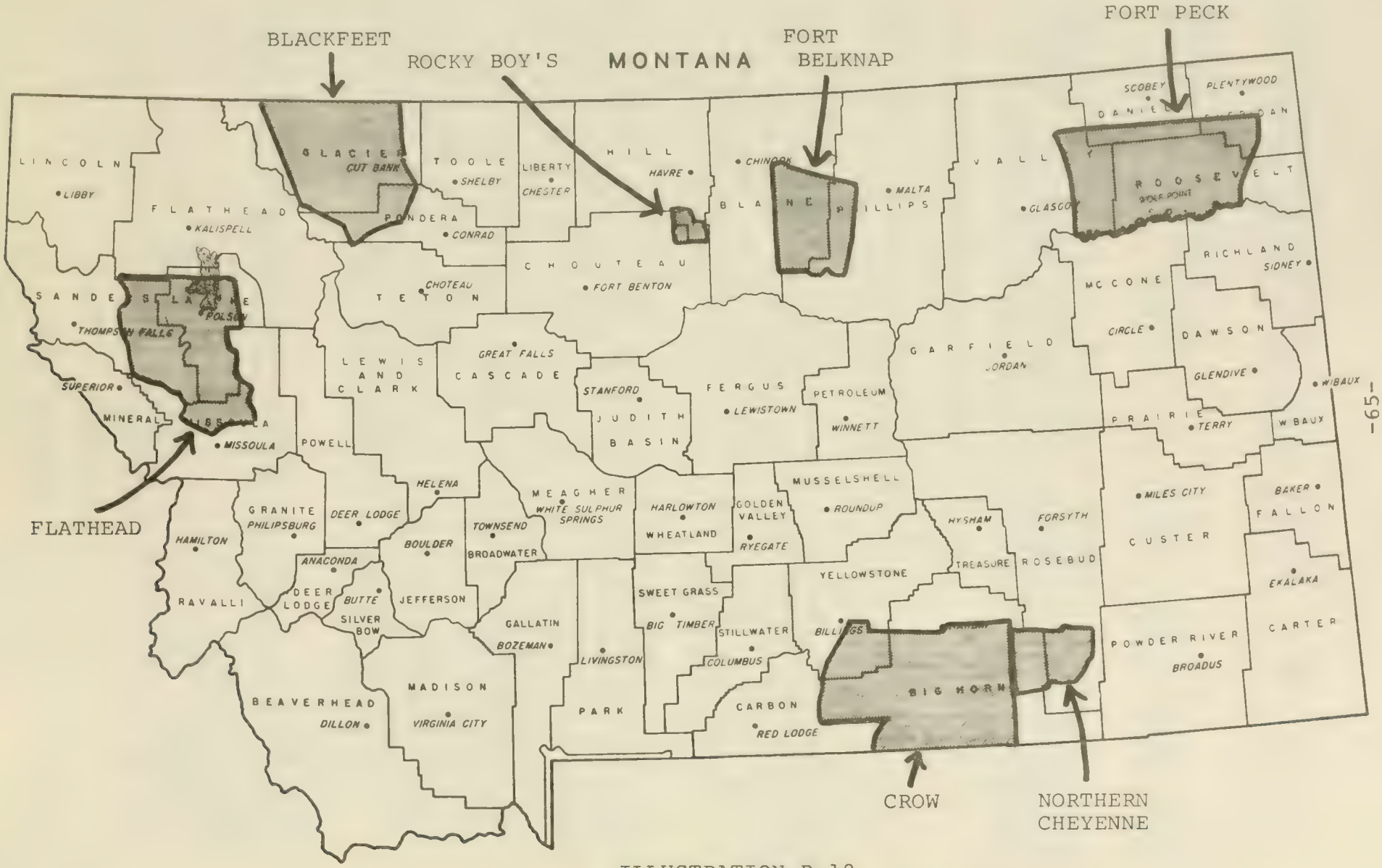


ILLUSTRATION B-18
Location of Indian Reservations

investigations of federal crimes. The tribal police department has a chief and 7 patrolmen, police clerk, and 3 jailers, the latter hired through the Emergency Employment Act. The chief of police uses P.O.S.T. standards in hiring. Next year, probation and parole officers will be hired for better follow-up on cases. The judicial branch of this reservation is staffed with one full-time tribal judge and three part-time associate judges. The total complement of judicial, prevention, and enforcement personnel on the Flathead Reservation is 16.

Alcoholism, unemployment, and inter-family disputes contribute largely to crime and delinquency.

The FY 1975 budget for the Confederated Salish-Kootenai tribal law and order program is $931,153, of which $134,866 is budgeted for tribal law and order and $3,323 for on-going projects funded by L.E.A.A. Cooperation between the tribal police and adjacent local and county police is generally good.

THE BLACKFEET INDIAN RESERVATION

The Blackfeet Indian Reservation (1,525,712 acres) extends eastward from the Glacier National Park boundary. The headquarters of the Blackfeet Indian Agency is in the incorporated town of Browning.

Of the 10,198 enrolled members of the Blackfeet tribe, about 6,214 live on the reservation.

The tribal police department on the Blackfeet Reservation provides a 24-hour operation with 3 regular and 1 over-lapping shift. The police department has a full-time chief of police and 11 sworn patrolmen; one is designated as a juvenile officer, two are criminal investigators. In addition to the tribal police, the B.I.A. provides one special officer whose diversified services include criminal investigation and in-service training for the tribal police.

Four of the tribal police officers are graduates of the Roswell Indian Police Academy and all of the officers took part in a Law Enforcement Training Program funded by L.E.A.A. In-service training is infrequently conducted. There is no incentive offered to induce a desire for more education in the field of law enforcement.

The Blackfeet tribe has 5 marked, radio-equipped police vehicles on lease from G.S.A., and 2 unmarked vehicles which are utilized primarily by the criminal investigators. L.E.A.A. grants have provided normal police gear for police officers and have also funded court improvement and training and juvenile facilities.

THE ROCKY BOY RESERVATION

The Rocky Boy Indian Reservation, established by executive order in 1916, in the Bear Paw Mountains of north central Montana, differs in several ways from the other reservations in the state. It is the smallest in area (107,613 acres) and has the smallest population (2,860 Indian, 40 Non-Indian). The total number of miles under tribal jurisdiction is 167.5. The F.B.I. also has jurisdiction here.

The law and order budget is $193,504, furnished by B.I.A. Both adult crime and juvenile delinquency are matters of concern.

A council of 9 men represents the reservation's government.

The tribal police force is 12, 8 of these sworn. Ten are tribal police and 2 are from the B.I.A. The department is manned 24 hours a day. There is reciprocal deputization with Chouteau and Hill Counties. Forty hours of training are required before a new officer assumes his duties. Six officers have graduated from various police schools. The entire criminal justice system is operated as a joint contract between the tribe and the Bureau of Indian Affairs. The reservation exercises jurisdiction over Indians and non-Indians who enter and violate laws on the reservation. There is no contract with state institutions.

THE FORT BELKNAP INDIAN RESERVATION

The Fort Belknap Indian Reservation, south of the Milk River in north central Montana, is the home of descendants of the Gros Ventre and the Assiniboine tribes.

The present enrolled membership is about 3,700, of which fewer than half live on the reservation.

Fort Belknap's tribal police force is a full-time chief of police, 4 full-time patrolmen, 1 part-time patrolman, a communications dispatcher, and a clerk.

The Fort Belknap Police Department was able to increase manpower and equipment through a discretionary grant from L.E.A.A. Specifically, this grant provided 2 police patrolmen and 1 radio dispatcher and necessary equipment for one year, as well as staffing for the rehabilitation facility,staffing for the facility, and police cars.

THE FORT PECK INDIAN RESERVATION

The Fort Peck Indian Reservation covers in excess of 2 million acres in northeastern Montana. The town of Poplar is

headquarters for the tribal government and the Indian agency.

The 6,466 enrolled Indians on the Fort Peck Reservation are of two distinct tribal groups, the Sioux and the Assiniboine.

The personnel of the judicial, prevention, and enforcement services includes a chief of police, 3 lieutenants of police, 4 patrolmen, 3 trainee patrolmen, 1 trainee policewoman under the Emergency Employment Act, a chief judge, a juvenile judge, an associate judge at the tribal level, 1 special officer designated as a juvenile officer, a resources manager, and 3 detention guards who work for the B.I.A. The special officer has a clerk-stenographer and the associate judge also acts as clerk of the court. Grants have provided 4 juvenile workers, police cruisers, and additional equipment.

THE NORTHERN CHEYENNE INDIAN RESERVATION

Of the 3,202 enrolled members of the tribe, about 2,500 reside on the reservation.

The number of non-Indians on the reservation is approximately 250, including merchants, spouses of Indians, missionaries, teachers, and agency employees. There are 433,434 acres of land within the reservation boundary.

Judicial, prevention, and enforcement services on the Northern Cheyenne reservation include one agency special officer who works for the Bureau of Indian Affairs, a captain of police, two lieutenants, five patrolmen, and one rural police officer. Two policemen are graduates of police schools.

The officer assigned to the rural area of the reservation is funded by the Law Enforcement Assistance Administration on a discretionary grant in the amount of $28,124. The same grant provided much needed equipment for the Northern Cheyenne police department to carry out its responsibilities. Through the acquisition of this specially trained police officer, the Northern Cheyenne tribe has been able to substantially improve the quality of law enforcement services available to its outlying residents while allowing the main force adequate time to patrol the residential area.

The Northern Cheyenne reservation is utilizing "New Careers" personnel within its criminal justice system, filling the roles of radio telephone dispatchers, file clerks, counselors, and in supporting roles in adult and juvenile probation and parole.

A project was funded in FY 1973-74 to provide classroom education and training for a period of 8 weeks for 20 male juveniles at the Northern Cheyenne reservation. The purpose was to acquaint the juveniles with the criminal justice system and provide a better relationship among juveniles, parents,

and the people charged with the responsibility of the judicial, prevention, and enforcement services. The tribal policy makers found that the project served a useful purpose, and therefore they decided to increase the tribal support by an additional $2,500 to add 10 more youths to the program. The tribal council has decided to continue this program as an annual summer youth activity. The chief judge in the juvenile court has assumed the responsibility of coordinating future projects.

The Northern Cheyenne tribe is developing a 5-year plan for the improvement of its criminal justice system. When received by the Board of Crime Control, the tribal plan will be made part of the state comprehensive plan for criminal justice improvement.

THE CROW INDIAN RESERVATION

The Crow Indian Reservation (over 1,500,000 acres) is located in south central Montana, mostly in Big Horn County. It is the home of approximately 4,035 members of the Crow Indian tribe. About 1,290 members live off the reservation, but many live nearby and spend considerable time each year on the reservation.

The Crow agency supports a modern Indian police department consisting of a chief of police, whose salary is provided by the Bureau of Indian Affairs, a tribal assistant chief of police, a lieutenant of police, a sergeant of police, 6 patrolmen, 4 radio-telephone dispatchers, a jailer, and a cook. Six of the officers are graduates of police schools.

During FY 1972, the Crow Tribe received a Manpower and Equipment grant from L.E.A.A. Discretionary Funds in the amount of $50,699. The Montana S.P.A. approved a subgrant for $13,664 to provide live-in group home parents for the Crow Agency juvenile rehabilitation program.

During FY 1974, the Crow Tribe received an $80,000 grant to assist the B.I.A. in constructing a new courthouse. This was also discretionary funding provided by L.E.A.A. National Indian Affairs Desk. The courthouse was dedicated August 5, 1975.

Data gathered from within the confines of Montana's Indian reservations reveals serious problems involving a large percentage of Indian youth. The Indian population is rising sharply and becoming younger, and this will undoubtedly compound the seriousness of the situation in years to come.

Alcoholism and alcohol-related criminal offenses are extremely serious matters on the reservations. Statistical data offenses known to the police highlight this glaring problem.

A table on Indian population distribution appears on page 164.

A task force on state, tribal, and federal responsibilities was authorized by the 1975 legislature. This task force is charged with analyzing jurisdictional problems that exist in reservation areas of the state and with recommending solutions to these problems.

The 1975 legislature also authorized the state Department of Institutions to contract with the governing body of an Indian reservation within the state for residential and educational services at Mountain View school, Pine Hills school, Aftercare Division, or other juvenile facility maintained by the department, for children who have been adjudicated delinquent by the tribal court, or at the Montana children's center for children who have been found by the tribal court to be dependent and neglected.

Table B-25
Crime Rate and Number of
Actual Offenses on
Indian Reservations
1974

Tribe	Population	Crime Rate per 100,000	Number of Actual Offenses
Northern Cheyenne	2,564	10,218.4	262
Fort Peck	3,995	2,704.7	108
Rocky Boy	1,244	2,333.2	29
Flathead	2,301	2,177.4	503
Fort Belknap	1,127	1,189.0	134
Blackfeet	6,214	949.5	59
Crow	4,035	892.2	36

Montana has 6 institutions of higher learning offering a curriculum in criminal justice studies.

As participants in the Law Enforcement Education Program, these institutions represent a vital resource to the existing law enforcement community. Through employment in operating agencies of criminal justice, the LEEP graduates represent the state's best hope for ultimate professionalism and advancement of law enforcement.

Curricula vary from institution to institution; however, a basic professional core of courses is emerging due to the efforts of the members of the Montana Association of Criminal Justice Educators.

TABLE B-26
LEEP Participating Institutions and Student Status
1974-1975

Institution	LEEP	In-Service	Pre-Service	74-75 LEEP Graduates	Total CJ Students
University of Montana	101	97	4	8	130
Montana State University	27	8	19	7	180
Dawson College	37	37	0	15	65
Eastern Montana College	55	55	0	0	Unknown
College of Great Falls	70	67	3	9	216
Flathead Community College	22	22	0	2	29

Through an aggressive program of internships in the state's criminal justice agencies, and subsequent employment within these agencies, a gradual upgrading of agency education levels is being achieved, as indicated in Table B-26.

Campus Police

Campus police are designated as peace officers by statute and are permitted to bear firearms. However, their authority is limited to their respective campuses. For institution-related activities, this authority is extended to one mile beyond the campus boundaries. Authority is further extended to include other grounds or property owned, operated, controlled, or administered by the regents or any unit of the state university system.

Activities include routine patrol, traffic and crowd control, preliminary investigation, and various security oriented activities.

Three of the 6 units in the state university system maintain security departments or security capabilities.

MONTANA STATE UNIVERSITY

The campus security force of Montana State University in Bozeman consists of a chief of police, 5 patrolmen, 3 sergeants, a secretary, and a traffic maid.

Activities include handling of parking and traffic, family disturbances in married student housing areas, misuse of alcoholic beverages, and some drug abuse offenses.

Students are used as monitors in campus buildings after regular business hours.

Because the campus police department operates only from 8:00 a.m. to 5:00 p.m., the Bozeman Police Department provides security from 5:00 p.m. to 8:00 a.m.

Equipment utilized in the operation includes: 3 patrol vehicles with mobile radios, one base radio station, and 6 portable radios.

UNIVERSITY OF MONTANA

The university maintains an 18-man campus police force including a chief of police, 9 patrolmen, 2 dispatchers, and 6 centrex operators.

Department functions and activities include parking and traffic control, disturbance calls, etc. Their workload resembles that of an agency in a community of 10,000. Drug abuse cases are steadily decreasing as an investigative activity.

Equipment utilized in the department operations includes: 2 marked patrol cars with mobile radios, one unmarked patrol car, 5 portable radios, one base station, and one video camera and recorder.

Cooperative and mutual aid arrangements exist among the campus police and the Missoula Police Department, the Missoula County Sheriff's Department, and the Federal Bureau of Investigation.

All campus patrolmen have completed the basic law enforcement course at the State Law Enforcement Academy in Bozeman. Several officers have attended advanced and specialized courses at the Academy.

EASTERN MONTANA COLLEGE

Eastern Montana College, located in Montana's largest urban area, Billings, maintains a security department manned by a chief of security, 5 patrolmen, and one dispatcher.

Department workloads consist of buildings and grounds security patrols, vandalism investigations, family disturbance calls, alcohol and drug abuse cases, and the constant problem of parking and traffic control.

Equipment utilized includes: one radio-equipped patrol vehicle, one Cushman motorcycle, and one base radio station.

Most of the security force has attended the basic and specialized courses at the state's Law Enforcement Academy and also received in-service training conducted by the chief.

Patrol is operated 24 hours a day in cooperation with the Billings Police Department.

WESTERN MONTANA COLLEGE

Located in Dillon, Western Montana College operates a part-time security force of a chief of security, one assistant chief, and 2 night watchmen.

The chief of security is a retired Montana Highway Patrol officer who has attended numerous training seminars in his professional career.

Primarily, the security force handles crowd control at athletic events and performs night watchman duties. Any other questionable activity occurring on campus is handled by the local sheriff's department.

Equipment consists of 2 portable radios.

SECTION C: COURTS

In 1972, by means of a convention and subsequent ratification by the people, Montana produced a new Constitution, which became effective July 1, 1973. The new document, while not initiating sweeping changes in the structure and operation of the judicial branch of government, nevertheless moved in the direction of widely advocated judicial reforms. Substantial amounts of implementing legislation have been required. The following includes first, a discussion of the constitutionally retained traditional elements and the emerging forms and processes in the courts as mandated or encouraged by the new Constitution, and second, an examination of those statutes in the courts area which were not required for implementation of the Constitution, together with available information about the operation of courts, prosecution, and defense in Montana.

A. The State Constitution and the Administration of Justice in the Courts

(1) Declaration of Rights

The Montana constitutional counterpart of the federal Bill of Rights requires that justice in the state be administered by courts open "to every person," without "sale, denial, or delay," and that there be a "speedy remedy" afforded for "every injury of person, property, or character." Other individual rights relating to criminal justice in the courts are similar or identical to the rights guaranteed by the federal Constitution, with the following exceptions:

a. Both a "right to know" of governmental activities and deliberations and a "right to privacy," which may be infringed only by a compelling state interest, are included explicitly;

b. The state "search and seizure" provision is more limited than the comparable federal guarantee by phrasing the language of the right in the alternative rather than in the conjunctive;

c. Sovereign immunity is abolished for the state and all its political subdivisions;

d. All criminal actions brought in courts of general jurisdiction (i.e., felonies and some misdemeanors in state district courts) must be initiated by informations following upon certain prescribed procedures, while criminal actions initiated in courts of limited jurisdiction (misdemeanors charged in justice courts and/or city courts) may be begun by complaints;

e. All accused persons are to be bailable, except for capital offenses. (The state supreme court has recently held that this provision does not apply to bailability pending appeal);

f. No person may be detained for the purpose of giving testimony longer than necessary to take his deposition;

g. A defendant may waive a jury trial in either felony or misdemeanor cases, but if the cause is tried to a jury the decision must be unanimous; and

h. Convicted persons are restored to full civil rights upon "termination of state supervision."

(2) Jurisdiction and Organization of the Courts

The judicial power of the state is vested in a three-tiered structure of appellate, general, and limited jurisdiction represented constitutionally by the state supreme court, district courts, and justice courts. The legisature may create other courts within this general framework and has provided for city courts of limited civil and criminal jurisdiction and permits localities to establish municipal and/or small claims courts.

The state supreme court is the single appellate court in the true sense (appeals from courts of limited jurisdiction to district courts must be trials de novo.) It has original and concurrent jurisdiction over extraordinary writs. Its theoretical administrative authority over bench and bar is broad, including "supervisory control over all courts," the power to make all rules of practice and procedure subject to disapproval by the legislature, and the authority to regulate admission to the bar and the conduct of its members. From the first of the above-named powers stems the "writ of supervisory control," used with some frequency by the Montana Court to effect interlocutory orders or stays in proceedings, but seldom, if ever,

employed for purposes of judicial administration.

The Constitution mandates a supreme court of no fewer than five justices (the current number) and permits the legislature to increase the membership to seven. In the event of disqualification or disability of the chief justice or a justice, a district court judge may be substituted, with his opinion having the full effect of that of a justice.

District courts are the courts of general jurisdiction, with original and exclusive jurisdiction over all felonies, original jurisdiction over all cases in law and equity, and the power to issue such writs as are "appropriate to (their) jurisdiction." The Constitution allows the legislative delegation of additional jurisdiction, recently illustrated by the adoption of the Youth Court Act, giving original and exclusive jurisdiction of all juvenile matters to the district courts excepting only certain traffic and fish and game violations.

The number and boundaries of judicial districts and the number of judges in each district are determined by the legislature subject to constitutional limitations prescribing that each district must be compact and bounded by county lines and that any redistricting must not result in removal of an incumbent judge. A degree of administrative flexibility in allocating caseloads among district judges and providing back-up judicial coverage in case of disqualification or disability is encouraged by constitutional permission to the chief justice to make a temporary assignment from one district or county to another if so requested by a district judge. Currently there are 18 districts in Montana, ranging in size from 715 to more than 23,000 square miles, and in population from about 10,000 to nearly 120,000. These districts are served by 28 judges, with no district having more than three judges and with 11 single-judge districts.

The constitutionally established courts of limited jurisdiction are the courts of the justices of the peace, or the justice courts. They are denied jurisdiction over felonies except for initial appearances and preliminary hearings. Otherwise, the legislature specifies their original jurisdiction, which presently includes most civil cases where a recovery will not exceed $300, all misdemeanors punishable by a fine

not exceeding $500 or imprisonment not exceeding six months except cases brought under the state drug act, and the disposition of all arrests made by the Highway Patrol. Justice courts have concurrent jurisdiction with district courts of all misdemeanors punishable by fine not exceeding $1,500. They may, as indicated above, conduct preliminary hearings in aid of their functions in examinations and commitments.

There must be at least one justice of the peace in each of the 56 Montana counties, but the Constitution allows the legislature to provide additional justices of the peace. In 1974, the legislative assembly redelegated this decision to the county commissioners by giving the commissioners discretion to constitute an additional justice of the peace per county. Prior to the effective date of the 1974 legislation, there was a justice of the peace in each township in Montana, or a total of 154. At present there are 92 justices of the peace, 36 Boards of Commissioners having elected to establish an additional justice in each of those counties.

(3) Judicial Selection, Qualifications, Tenure, and Removal

Constitutional prescriptions and procedures for judicial qualifications, selection, salaries, tenure, and removal are similar for justices of the supreme court and for judges of the district courts. The basic selection process for the judiciary in Montana is nonpartisan election. The term of office for the chief justice and the justices of the supreme court is eight years; for district judges, six years. To be eligible for the supreme court bench or for a district judgeship, a candidate or a nominee must be a U.S. citizen, a resident of the state for two years immediately preceding the taking of office, and he must have been admitted to the practice of law in Montana for five years. Judicial salaries are left to legislative discretion, with the proviso that they shall not be diminished during terms of office. Currently, the chief justice receives a salary of $28,000; the justices, $27,000; judges, $25,000. District judges' salaries are paid by the state, as are their expenses for travel, but the administrative costs of district courts are borne by the counties. Statutes provide for a judicial retirement plan, with contributions made by the judge or justice and by the state.

Vacancies in the office of supreme court justice or district court judge are filled by gubernatorial nomination, with confirmation by the Senate.

The governor's choice must be made from among "nominees selected in the manner provided by law." This constitutional directive was implemented legislatively in 1974 by the creation of a Judicial Nominations Commission, composed of seven members. Four members are appointed by the governor to four-year terms. These must be neither judges nor attorneys, and are to be selected from different geographical areas of the state and representative of different industries, businesses, or professions. Two members are attorneys appointed by the supreme court, one from each congressional district. One member is a district judge, elected by the district judges in a special election regulated by the chief justice. The latter three members will also serve four-year terms after the initial appointment-staggering provisions in the statute expire. None may be a candidate for judicial office during his tenure on the Commission. Within 30 days from the date of a vacancy, the Commission must send to the governor a list of not fewer than three nor more than five persons, from among whom the governor must make the nomination. If he fails to do so within 30 days, the chief justice may make the nomination, according to the statute.

A judge or a justice who is appointed to his office by the process described above is required by the Constitution to face a retention election when the term to which he was appointed expires. That is, if the appointive judge or justice is running as an unopposed incumbent at the subsequent election, his name appears on the ballot together with an opportunity for the voters to accept or reject him. If rejected, the selection process involving the Judicial Nominations Commission is repeated.

In the year (approximately) since these procedures and the Commission were established, one vacancy occurred among the district court judges and was filled by the process outlined above upon the submission of three names to the governor, and one supreme court justice was elected on a retention ballot.

Historically, appointments have filled more judicial posts in Montana than election. For example, of the five supreme court justices presently serving, four were initially appointed to office; of the 28 district court judges, at least three-fourths were originally appointed. The Judicial Nominations Commission, created pursuant to the 1972 Constitution, incorporates elements of merit selection with overtones of the "Missouri Plan" in the procedure for choosing replacements in the judiciary and supplants near-total gubernatorial discretion in the making of interim appointments.

Two methods are provided by the 1972 Constitution for removal of supreme court justices and district court judges: impeachment, and removal by the supreme court upon recommendation of the Judicial Standards Commission.

The House of Representatives, upon a two-thirds vote, may impeach a judicial officer for felonies and misdemeanors or malfeasance in office. A two-thirds vote is again required for conviction by the Senate. Removal from office is the only penalty attaching to conviction.

The procedure which depends upon recommendations made by the constitutionally mandated Judicial Standards Commission is broader in scope and more flexible in theory (although as yet unused in practice) than the stark and cumbersome impeachment process. The Commission must investigate complaints, for which purpose it is granted the aid of subpoena powers. Upon its recommendation, the supreme court may retire, censure, suspend, or remove any justice or judge from office. Forced retirement is the option available for a judicial disability "that seriously interferes with the performance of his duties and is or may become permanent." Causes sufficient for censure, suspension, or removal are willful misconduct in office, willful and persistent failure to perform the duties of the office, or habitual intemperance. The rules of the Commission have interpreted its mandate to apply to all judges, justices of the peace, and police judges. The rules further provide that proceedings involving the Commission are and remain confidential until or unless the Commission, after investigation and a hearing, makes formal recommendation for censure, suspension, or removal. To date, no such recommendation has been made.

Among other significant Commission rules are those which deal with due process requirements for notice and an opportunity for a hearing for the charged judge; additional personnel to expedite the work of the Commission, i.e., an attorney-investigator and/or a special master to be appointed by the supreme court upon Commission request; and provision for the Commission's submission of a recommendation upon a finding of good cause.

Enabling legislation in 1973 defined the composition of the Commission as follows: two district judges from different judicial districts, elected by the district judges and certified to the clerk of the supreme court; one attorney who has practiced law in Montana for at least ten years, appointed by the supreme court; and two citizens from different congressional districts who are not attorneys nor active or retired judges of any court, appointed by the governor. After commencing with staggered terms, all will serve for four years (unless a judge is defeated in an election in the interim, whereupon he will cease to serve on the Commission.)

In regard to justices of the peace, the Constitution dictates only terms of office (four years) and the provision and maintenance of "dignified surroundings." The specification of qualifications, training, and monthly compensation of justices of the peace was relegated to the legislature.

By law, justices of the peace must be elected on the same kind of non-partisan ballot as are district court judges and supreme court justices. Each position in the county is to be numbered by the county commissioners, and a candidate for justice of the peace must indicate the number of the office which he seeks. Qualifications are the same as those for voters generally, but before the justice may take the oath of office he must satisfy the county clerk that he is either (a) an attorney authorized to practice law in Montana, or (b) a person who has held the office of justice of the peace within the preceding five years, or (c) a person who has completed (if elected) or agreed to complete (if appointed) an orientation course held by the University of Montana School of Law. If a vacancy occurs in the office, it may be filled by appointment by the county commissioners.

Salaries of justices of the peace are set by resolution of the county commissioners, but they may not be

reduced below statutory minimums. Prior to the adoption of the 1972 Constitution, most justices of the peace received as compensation for their services the fees and fines exacted in their courts; some, in counties of relatively high population, also had statutory floors supporting a minimum compensation. The present minimums are presumably transitional, and involve a computation based on prior compensation. If the previous salary of a justice of the peace was determined by fees, he may now receive a monthly compensation not less than one-eighteenth of the total fees collected by himself or his predecessor in 1971 and 1972. If the salary was formerly non-fee-based, he may be paid no less than the maximum received by himself or his predecessor for 1971 and 1972. All criminal and civil fees and fines received by a justice court must be turned over to the county treasurer, with the exception of certain "miscellaneous fees" (for marriages, authentication of documents and the like), which the justice of the peace may retain.

Statutes have fleshed out the "dignified surroundings" constitutional mandate to require each board of county commissioners to furnish to local justices of the peace (a) the office, courtroom, and clerical assistance necessary, (b) books, records, and supplies necessary to keep the records and files of the office, (c) the latest edition of the Montana codes, and (d) all actual and necessary expenses.

Table C-1
Use of Time by District Judges in 1972

In 1972, 6 district judges selected at random recorded time spent for each of 2 months (March and September) to provide data for the Supreme Court Justice System Survey. The figures below represent an average of the use of time by the 6 judges and of the months reported. "Administration" includes work performed in chambers; "court" represents only time actually spent on the bench. There was no civil/criminal breakdown. "Days" are ordinary 8-hour work days.

Total working time per month	18 days, 4 hours
Court	8 days
Administration	5 days, 7 hours
Research	1 day, 5 hours
Travel	2 days, 1 hour
Education	3 hours

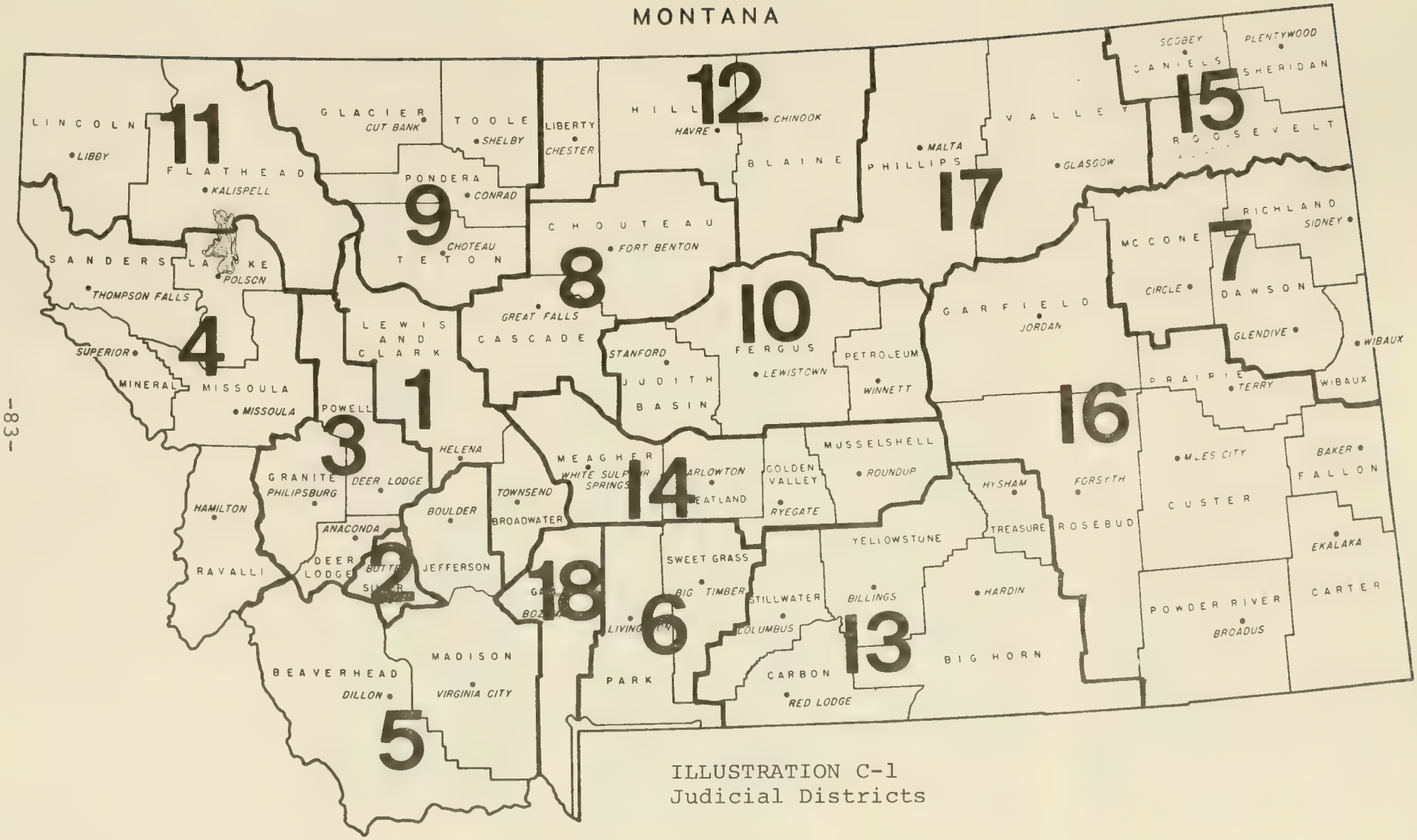


ILLUSTRATION C-1
Judicial Districts

B. The Operation of the Courts and the Administration of Justice

The primary phenomenon affecting courts planning in Montana is the overriding influence of rapid, but mostly unmeasured changes in the structure and functioning of the state and local governments. Especially in the courts area, fundamental shifts in approach and perception are occurring in the absence of any regularized collection and analysis of information. Data-gathering has been hindered by:

(1) lack of uniformity in record-keeping;
(2) lack of reporting requirements and of any data-collection centers; and,
(3) a need for pacing and setting priorities for responses to immediate problems generated by changes in the law and in the state/community environment.

These retarding factors are being addressed concurrently: the governmental machinery is moving "with all deliberate speed" toward implementation of new constitutional and legislative requirements in the courts area, while simultaneously re-examining the administrative practices, procedures, education, and training of courts personnel as updating becomes essential to meet changing social patterns and technologies. Although identification of the current status is dependent to a degree on political perceptions. Indications are that Montana is at a pivotal point in moving toward professionalized court administration and the collection of both administrative and substantive data.

In the past decade, periodic studies have been conducted on aspects of the operation of the judicial branch. Each research group has had different sponsorship and members have been drawn variously from the school of law, the bar, the judiciary, the legislature, the executive, citizens' organizations, etc. Each team has assembled fragmentary information, carefully qualified as to reliability; and each has pointedly emphasized that no study in the courts area can be very meaningful, much less definitive, in the absence of regular, uniform record-keeping and reporting.

Currently, two major examinations of the Montana courts system are under way in addition to Montana Board of Crime Control information-gathering efforts, and two citizen groups are attempting to reawaken public interest in the structure and operation of the judicial branch.

The interim Legislative Council Subcommittee on the Judiciary is conducting research and hearings on the desirability/feasibility of redistricting. One of its preliminary findings is that insufficient statistics are available to indicate a need for redistricting, but that the insufficiency itself shows the necessity for improved administrative procedures and for the collection of reliable data.

The Supreme Court has created a commission to study the operation of lower courts and to recommend improvements. The commission's first task has been to discover the number and location of Montana courts of limited jurisdiction and the identity of the judges. It has also begun to provide assistance to the lower courts by supplying benchbooks, standard forms for complaints and orders, and it is moving toward the encouragement of standard record-keeping.

The Montana Citizens for Court Improvement, whose chief proposals for unification and modernization of the courts were defeated or compromised in the 1972 Constitutional Convention, held a series of citizens' conferences on the courts in 1974 and is currently in a process of reorganization.

The League of Women Voters of Montana is engaged in a study of the judicial branch of state government, including the possibilities of unification. In connection with the study, the League is considering undertaking a court-watching project in a number of localities.

A position of Courts Coordinator to aid the Supreme Court in judicial administration was funded by the Montana Board of Crime Control in 1975. The grant was awarded in response to a proposal submitted by the chief justice pursuant to resolutions from the legislature and the district judges' association requesting the creation of a courts administrative post. At this writing, the appointment is pending.

Within the past two years, training sessions, seminars, and simplified procedural handbooks have become available to (and in some cases, mandatory for) judges of the lower courts. Local, regional, and national training courses and conferences for appellate and trial judges and county attorneys are being attended with increasing frequency. The association of clerks of the district courts published a handbook in 1974, including procedures and forms for uniform reporting to the Board of Crime Control on the disposition of criminal cases. The Montana Board of Crime Control is beginning to gather some information on courts, prosecution, and defense budgets and expenditures by county and by judicial district.

These developments, and others discussed topically below, have combined to produce a significant demand from the judiciary and members of the legislature for reliable data on court organization and operation in Montana. However, recognition of the need is recent, and the demand is relatively unmet. The following is representative of the material that can be gleaned from current sources:

1. The Supreme Court

As previously noted, the Court has broad administrative and procedural powers over bench and bar. Among its other responsibilities, it is the final authority regulating the conduct of lawyers and judges. Within the past decade, the Court has adopted canons of judicial and professional ethics. Acting upon recommendations of the bar's disciplinary committee the Commission on Practice, it has found reason in the last two years to disbar two lawyers and to suspend one from practice. In 1974, the Court issued an order unifying the Montana bar effective July 1, 1975. From time to time it has taken a direct hand in the administration of district courts; for example, it recently issued an order that all matters of probate that have been pending for more than five years must be cleared up.

In the area of procedure, the Court has participated in recent years in updating and codifying the criminal statutes and the rules of criminal, civil, and appellate procedure, and has sponsored commissions to study the courts and to draft a codification of rules of evidence.

The caseload of the Supreme Court appears to be increasing slowly although not steadily, as Table C-4 shows.

Table C-2
Supreme Court Caseload

Year	Opinions Handed Down
1969	126
1970	109
1971	153
1972	149
1973	124
1974	185

Of the 185 opinions written by the Court in 1974, 30 (or 16.2%) dealt with criminal appeals. No previous comparable figures are available. Despite the gradual increase in caseload, the Supreme Court's docket is current.

The personnel of the Court includes the Chief Justice, 4 Associate Justices, 5 law clerks, and 2 secretaries. The office of the Clerk of the Supreme Court is staffed by 3 persons -- the Clerk, a Deputy Clerk, and a secretary. The 1972 Constitution deleted a requirement of the previous constitution that the Clerk of the Supreme Court must be an elective position. However, statute still provides that the Clerk is to be elected from the state at large to a 6 year term. The salary of the Clerk is $14,000 per year.

For fiscal 1976, the legislature appropriated $345,900 for salaries, wages, maintenance, and operation of the Court and the office of the Clerk of the Supreme Court, and $360,919 for fiscal 1977. These appropriations for the coming biennium appear to represent a substantial increase over the $269,000 expenditure of the Montana "court of last resort" for fiscal 1972-73, as reported in Expenditure and Employment Data for the Criminal Justice System, 1972-73, prepared under the direction of LEAA and the Social and Economic Statistics Administration. Of the current increased appropriation, about $22,000 may be attributed to augmentation of justices' salaries, which were upgraded in 1974 from $24,000 to $28,000 for the chief justice and from $22,500 to $27,000 for associate justices. Despite the recent raises, however, Montana remains next to last among the fifty states in the salary level for supreme court justices, according to the Quarterly Survey of Judicial Salaries in State Court Systems, published in June, 1975 by the National Center for State Courts.

2. The Sentence Review Board

Any person sentenced to one year or more in the state prison may apply for review of the sentence by the Sentence Review Division of the Supreme Court. The Review Division comprises three district judges appointed by the chief justice, and an additional judge who may be designated to sit at a review hearing if the sentence to be reviewed was imposed by one of the judges serving on the Division.

Upon application in conformity with certain procedures, a sentence will be reviewed once for a prisoner as a matter of right. Hearings are held at the prison at least 4 times a year by the Division. Prisoners are entitled to be represented by counsel, third-year students from the school of Law at the University of Montana who receive course credit for such representation.

When the Division receives a request for review, the sentencing judge and the county attorney from the county where the sentence was imposed are notified. The judge may transmit his reasons for imposing the sentence. The county attorney may represent the state at the hearing. The Division has access to presentence reports and any other relevant records or documents. The Division may impose any sentence that was available to the original trial judge. It may reduce or increase the penalty or allow the sentence to stand, and may order the sentencing judge to revise the sentence according to its recommendations. A decision of the Sentence Review Board may be made by any 2 of the judges at a hearing, and the decision is final and may not be appealed.

Legislative history of the creation in 1967 of the Sentence Review Division reveals that the intent was to provide a mechanism for equalizing disparate sentences imposed for similar offenses. In practice, the Review Division tends to see its role as supplementary to that of the Board of Pardons and Paroles, taking into consideration such factors as behavior within the prison, age of the offender, previous paroles (if any) successfully terminated, availability of employment or schooling to the offender upon release, etc. Since the Division was established, it has increased only one sentence. All other changes have represented a reduction in sentence. In 1974, the Division reviewed 85 sentences. Twenty-nine were changed (reduced).

TABLE C-3

COUNTY EXPENDITURES FOR DISTRICT COURT, JUSTICE COURT, PROSECUTION, AND DEFENSE, WAGES, SALARIES, MAINTENANCE AND OPERATION, Fiscal 1974

Dist. No. & Est. Pop.	Counties Included	Dist. Ct. Expenditure	Justice Ct. Expenditure	Total Expenditures County Attorney	Expenditures for Court Appointed Defense Counsel
1		$ 82,294.53*		$ 58,360.09	
38,700	Broadwater	15,336.31*	$ 3,152.02	7,951.05	
	Lewis & Clark	66,958.21*	24,506.34	50,509.03	Public Defender
2		146,131.45*		75,923.90	($30,325.48)
43,200	Silver Bow	146,131.45	52,443.70	75,923.90	
3		77,925.21		42,697.82	Now Dist. Defender
25,200	Deer Lodge	34,574.50	12,771.02	22,462.31	1,894.85
	Granite	15,846.57	2,927.87	9,620.45	
	Powell	27,503.94	5,266.63	10,615.16	
4		215,484.68		157,305.65	
105,900	Lake	32,715.33	11,296.97	22,947.89	Public Defender
	Mineral	14,709.94	2,987.53	7,710.72	
	Missoula	119,237.58	38,536.13	97,498.28	Public Defender
	Ravalli	37,060.33	7,952.95	19,478.62	
	Sanders	16,761.50	4,936.01	9,670.14	
5		96,805.50		36,184.65	
21,100	Beaverhead	41,565.67	6,681.45	12,160.18	
	Jefferson	32,478.06	8,852.73	12,207.72	
	Madison	22,761.85	9,607.47	11,816.75	
6		57,948.81		24,210.43	
15,000	Park	40,693.52	8,647.44	13,907.49	
	Sweetgrass	17,255.29	3,250.08	10,302.94	

TABLE C-3 (contd.)

Dist. No. & Est. Pop.	Counties Included	Dist. Ct. Expenditure	Justice Ct. Expenditure	Total Expenditures County Attorney	Expenditures for Court Appointed Defence Counsel
7		$ 83,382.17		$ 48,107.92	
24,900	Dawson	21,336.80	$ 9,882.87	19,006.58	
	McCone	16,372.93	5,005.80	7,867.77	
	Richland	30,423.25	5,475.39	12,371.24	
	Wibaux	15,249.19	3,767.50	8,862.33	
8**		78,432.32		105,382.34	
90,700	Cascade	61,034.28	36,036.62	95,711.12	Public Defender
	Chouteau	17,398.04	3,580.73	9,671.22	
9		80,277.83*			
29,900	Glacier	Report Not Available	Not Available	Not Available	
	Pondera	29,086.77	5,234.65	10,647.38	8,295.42
	Teton	25,966.92*	2,144.64	9,903.18	1,186.17
	Toole	25,174.14	4,586.30	10,872.62	1,100.00
10		56,856.99		33,247.80	
15,200	Fergus	35,652.70	6,856.44	23,729.21	
	Judith Basin	15,603.04	2,876.37	7,891.54	
	Petroleum	5,601.25	634.30	1,627.05	
11		168,154.79		88,748.03	
59,600	Flathead	142,877.52	25,692.71	72,845.45	Public Defender
	Lincoln	25,277.27	17,799.80	15,902.58	6,300.00
12		60,840.27		34,996.57	
25,900	Blaine	20,891.19	3,951.09	7,951.05	1,919.27
	Hill	24,891.79	8,517.55	20,185.58	
	Liberty	15,057.29	1,300.85	6,859.94	

TABLE C-3 (contd.)

Dist. No. & Est. Pop.	Counties Included	Dist. Ct. Expenditure	Justice Ct. Expenditure	Total Expenditures County Attorney	Expenditures for Court Appointed Defence Counsel
13				$184,540.20	
119,100		$286,797.90			
	Big Horn	36,760.08	$ 6,891.75	19,783.24	
	Carbon	21,512.17	7,690.65	11,018.08	
	Stillwater	13,025.49	4,592.62	7,501.12	
	Treasure	8,188.75	1,628.60	5,420.86	
	Yellowstone	207,311.41	60,440.40	140,996.90	Public Defender
14		62,508.03		29,995.56	
9,700	Golden Valley	8,479.49	1,166.06	4,135.51	
	Meagher	12,453.69	1,249.51	5,615.16	
	Musselshell	25,947.91	2,604.33	12,492.65	$ 1,788.46
	Wheatland	15,627.94	1,809.45	6,852.24	353.60
15		52,398.16*		40,863.67	
19,000	Daniels	11,058.31	753.25	8,666.75	
	Roosevelt	18,232.07*	11,017.93	20,715.86	
	Sheridan	22,657.78	1,869.50	11,481.06	
16		162,381.20		91,536.73	
31,500	Carter	16,048.89	2,195.70	13,082.27	
	Custer	43,983.00	8,371.19	20,134.34	2,568.42
	Fallon	22,321.37	2,983.07	14,508.86	
	Garfield	11,581.59	2,178.53	9,597.96	
	Powder River	20,058.62	2,826.46	13,192.09	2,203.31
	Prairie	9,276.80	1,399.02	6,255.29	
	Rosebud	39,140.93	6,676.58	14,765.92	
17		56,425.42		31,649.81	
18,500	Phillips	21,845.10	1,166.00	11,400.16	
	Valley	34,400.32	8,262.31	20,249.65	3,590.00

TABLE C-3 (contd.)

Dist. No. & Est. Pop.	Counties Included	Dist. Ct. Expenditure	Justice Ct. Expenditure	Total Expenditures County Attorney	Expenditures for Court Appointed
18 36,000	Gallatin	Report Not Available	Not Available	Not Available	

*Figures are taken from the Annual Reports of the County Clerks and Recorders to the State Auditor and to the State Department of Community Affairs. In sums so indicated, one or more counties in district did not include expenditures for juvenile and/or probation officers in court costs. All other sums include these amounts. Moreover it should be noted that the same Annual Reports show that the income of most justice courts from fees and fines approximates expenditure.

** Reports from Eighth Judicial District appear not to be inclusive, especially as to District Court Expenditures.

3. The District Courts

Constitutionally, as has been noted, the district courts in Montana are established as courts of general jurisdiction with exclusive jurisdiction over felonies. Statutorily, they also have exclusive jurisdiction over a number of civil and criminal proceedings, including juvenile matters, family law, drug laws, probate, gambling violations, commitment proceedings, habitual offenders, and the statewide re-adjudication of water rights. In each of these areas, as well as in those of criminal procedure, the statutes have been extensively modified since 1970. Often the modifications have been based on uniform or model codes. Because of the extensions of exclusive jurisdiction, frequently into what amount to social service/counseling areas, the district judges contend that trial court workload is not commensurate with caseload and, moreover, that workload may not have a high correlation to population of the district.

No studies have been conducted with sufficient similarity in data-collection methodology to permit valid or reliable chronological comparisons of caseload among the districts or for the state as a whole. The available fragments that may, when taken together, suggest some tentative outline of judicial workload and administration in Montana are contained in this section. The map (illustration C-1) shows the division of the state into its current judicial districts. Table C-1 reviews a 1972 survey of the use of district judges' time. Table C-3 assembles information available regarding court expenditures by county and by district in 1974-75.

As would be expected, the court expenditure data by county indicates that, in general, the costs of maintaining courts in counties with smallest populations are significantly higher per capita than in more urban counties. Expenses of the district courts are allocated to each county in the district by the judge or judges. There is no standard formula for such allocation, but it appears that most judges try to equalize costs per capita among the counties in the district to the extent that is possible. District court expenditures include the salaries of the court reporter, the judge's secretary, if any, the fees of appointed defense counsel or salary of the public defender, the salaries of the clerks of the district court in each county and any costs of operation of those offices, and usually the salaries and opterational costs of probation officers. The salaries of the district judges, their travel and per diem expenses, and the public contribution to the judges' retirement plan are expenses borne entirely by the state. For this purpose the legislature appropriated $850,860 for fiscal 1976 and $858,060

for fiscal 1977, amounts obviously based on a continuation of the current $25,000 salary for district judges. The compensation of Montana judges is among the lowest paid in the nation to state trial court judges, according to the June, 1976, Quarterly Survey of Judicial Salaries in State Court Systems. Utah pays $22,000; Oklahoma, $25,000. Each of the remaining 47 states is higher, ranging from Vermont at $25,800 to Georgia at $44,600 and New York at $48,998.

The judges' time use survey points to a large proportion of judges' time spent on administrative concerns, but since pure administration was not separated in the survey from matters heard in chambers, probably few conclusions can be drawn from that proportion. It is clear that a district court judge has very little time to research and/or continuing education.

Judges may be assigned temporarily from one district to another by the chief justice at the request of the local district judge. This is relatively common practice, but currently it is more often used for reasons of disqualification than for reasons of disability or to equalize caseloads. Montana has a disqualification statute permitting the attorney of either party to a controversy to disqualify two judges as a matter of right until 15 days before the date set for trial. Ordinarily, judges from districts with light caseloads are called upon when a temporary reassignment is necessary.

As to personnel, a judge's court reporter is usually his administrative assistant, secretary, and general factotum. A few judges in the urban districts have private secretaries in addition to court reporters. Clerks of the district court are elected and are not responsible to district judges unless they so choose. In some districts there is a close working relationship between the clerks and the judges; in others, not. The judges have no assistance with legal research, except that law interns for three judges were funded for the summer of 1975. Most bailiffs serve only during jury terms.

No statewide assessment of district court facilities and equipment has been made. Expenditure for the maintenance of county law libraries in fiscal 1974, as reported by county clerks in their Annual Reports to the Department of Community Affairs, is included in the courts chart (Table C-4) as district court expenditure. There is a wide variation among the counties in appropriation for annual law library expense, ranging from zero to almost $8000, averaging $731.25 for reporting counties.

The inherent power of the court is codified in Montana in a statute permitting a district judge to order from the sheriff of a county any facilities, equipment, supplies, or assistance the judge deems necessary. Most judges appear to prefer the establishment of a cooperative relationship with the county commissioners to the exercise of this statutory and common law power, but court orders for improved facilities have not been entirely unknown.

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4. Justice Courts

In 1974 and early 1975, Montana's justice courts underwent profound organizational changes, as noted in the preceding constitutional section. The reorganization has affected the number, location, facilities, personnel and jurisdiction of the justice courts, and the number, compensation, and training requirements for justices of the peace.

Annual training sessions for lower court judges (justices of the peace and city court judges) have been instituted under the supervision of the supreme court and in conjunction with a convention of the Montana Magistrates' Association, pursuant to a 1975 legislative direction. The first such session, dealing with recommended accounting and bookkeeping procedures for lower courts, is being held at the time of this writing. These annual sessions are in addition to the training that is mandatory for inexperienced justices of the peace upon election or appointment.

Efforts to assist in the improvement of lower court administration have been led by a district judge, chairman of the supreme court commission on lower courts and author of an article in the March, 1975, issue of Judicature detailing Montana's accomplishments in the field to date. Chiefly through this judge's exertions and supervision, a benchbook and sample forms for complaints, warrants, orders, etc., have been produced for the use of each lower court.

Restructuring and the provision of training aids were designed to prompt administrative and operational changes, but whether such changes have yet occured is a matter of impression and observation rather than of conclusions drawn from statistical data. Clerical assistance to judges (most of whom had none before 1973-74) may have increased upon the enactment of new legislation requiring its provision when needed, reinforced by the order of a district judge to the commissioners of one county to pay a claim submitted by a justice of the peace for unbudgeted clerical help. Presumably most, if not all, justices of the peace have been provided by the counties with basic personnel, supplies, and sets of the Montana codes, in conformity with statutory requirements.

5. Small Claims Courts

The 1975 Legislative Assembly enacted laws permitting the creation of small claims courts in counties and prescribing their jurisdiction. No such courts have yet been established. Moreover, it seems unlikely that localities will greet the opportunity with enthusiasm as long as the statutory provisions dividing authority and responsibility for such courts between the county commissioners and the local district judge remain in force.

The legislation provides that small claims courts may be established and abolished by the commissioners (or by initiative), but that the judge of such a court would be appointed by the district judge, who would set his salary and at whose pleasure he would serve. Only a lawyer could be a judge of a small claims court. The court would have original and concurrent jurisdiction with the justice court in the county over all claims arising in contract which did not exceed $1500. Neither party could be represented by an attorney in a controversy before the court unless both parties had counsel present. Informality is statutorily encourged.

An appeal taken from a decision of a small claims court would be (as in the case with decisions of other lower courts) trials de novo in district court. If the commissioners of more than one county in a judicial district should wish to establish a small claims court, the court could serve all of the district or any group of counties therein which had adopted such a resolution.

6. City Courts

As indicated heretofore, the 1972 Constitution (like its predecessor) delegates to the legislature the power to establish courts not specifically named in the Constitution. The only operational courts to have been created under this power are the city courts, which until this year were called police courts. Not only was the name changed by the 1975 legislature, but the jurisdiction of the courts was greatly expanded, as well. The city courts now have civil and criminal jurisdiction commensurate and concurrent with that of the justice courts by statute, and case law indicates that they have exclusive jurisdiction over violations of city ordinances.

A city court, which must be open on all judicial days, is established by law in each city and town in Montana, although not all towns have functioning city courts. With the reduction in the numbers of justices of the peace, it is anticipated that some towns presently without either justice courts or city courts may elect to institute operational city courts.

Table C-4
STATEWIDE EXPENDITURE ON THE JUDICIAL SYSTEM FY 1974

Supreme Court (Atual expenditure FY 1974 excepted from Governor's Executive Budget)	Total	$ 288,259.00
District Courts		
A. County Monies Expended on District Courts - FY 1974 (Data from preliminary study by V. Griffing; includes expenditures as reported by county clerks in their annual reports. 54 of 56 - 96.4% - Reported)		$1,829,393.00
B. State Monies Expended on District Courts- FY 1974 (Data from Governor's Executive Budget)		$ 682,276.00
Total Expenditures on District Courts - FY 1974		$2,511,669.00
Justice Courts (Data from study by V. Griffing - sec 2 - A)	Total	$ 484,929.00
Police Courts		
A. City Police Courts (Data from City Clerks annual reports, 49 of 51 - 96.1% - reported)		$ 264,703.00
B. Township Police Courts (Data from Clerks of Towns annual reports - 72 reported)		$ 16,653.00
Total Expenditure on Police Courts - FY 1974		$ 281,356.00
County Attorneys		
A. County Monies Expended for County Attorneys (Data from study by V. Griffing - sec 2 - A)		$1,113,918.00
B. State Monies Expended for County Attorneys		$ 283,004.00
Total Expenditure for County Attorneys		$1,396,922.00
City Attorneys (Data from City Clerks annual report)	Total	$ 237,485.00
Township Attorneys (Data from Town Clerks annual reports)	Total	$ 34,257.00
Total Expenditure on Judicial System FY 1974		$5,234,877.00

The office of city judge is elective; the term is for two years. No particular qualifications for the position are required. The judge's compensation is determined by the city council or commission. Currently, there are 101 city judges in Montana, 34 of whom are also justices of the peace.

In 1937, the legislature made optional provision for "municipal courts" in cities with a population exceeding 20,000 with a minimum salary specified for the judge and jurisdiction equivalent to that of a justice of the peace. No city has chosen to have a "municipal court" rather than a police or city court.

C. Prosecution, Defense, and Legal Education in the Administration of Justice

1. Prosecution

As the constitutionally-designated chief legal officer, the Attorney General is principally related to the prosecutorial system in the state by his supervisory authority over county attorneys. In addition, for the past two years, the Attorney General has exercised an extraordinary prosecutorial function through the appointment of a Special Prosecutor with staff and the convening of a grand jury to investigate and prosecute a far-reaching scandal in the area of workmen's compensation.

Other duties of the Attorney General include administration of the Department of Justice, of which he is head; the prosecution or defense before the Supreme Court of all causes to which the state or any officer is a party and all causes to which any county may be a party unless the interest of the county is adverse to that of the state or some officer thereof; the keeping of a public register of all cases in which he is required to appear; and the rendering of his written opinion without fee to the legislature, and to any state officer, board or commission, to any county attorney, to any city attorney, and to any board of county commissioners when required upon any question of law relating to their respective offices.

The Attorney General is elected to a four-year term, at a salary of $25,000. He must be at least 25 years of age, a United States citizen who has resided in the state for 2 years preceding his election, and have been admitted to the practice of law in Montana for at least 5 years prior to election.

The legal services responsibilities of the Attorney General are discharged through a division staffed by 7 attorneys, one executive secretary, and 5 clerical persons. The Special Prosecutor's office, which is not attached to the legal services division, includes a staff of four attorneys in addition to the special prosecutor.

A training coordinator for county attorneys was established within the Department of Justice in 1974 through the award of a grant from the Board of Crime Control. Funding for the position has now been assumed by the state, budgeted for in conjunction with the legal services division of the Department of Justice. Approximately $353,000 has been budgeted and appropriated for both functions for fiscal 1976, and about $377,000 for fiscal 1977.

The training coordinator program represents a cooperative effort between the county attorneys and the Attorney General to provide needed services to county attorneys. The coordinator is an attorney appointed by the Attorney General from a list of three names submitted by the president and board of directors of the County Attorney's Association. His salary is $18,000. His duties include providing local training in current aspects of the criminal law to county attorneys and other law enforcement personnel, assisting in developing and disseminating standards, procedures, and policies to insure that criminal laws are applied consistently and uniformly throughout Montana, consolidating present and past information on important aspects of the criminal law and providing a pool of official opinions and legal briefs, and providing support with research, briefs, or other technical assistance requested by a county attorney or law enforcement official.

The county attorney is the public prosecutor. Each of the 56 counties in Montana has a county attorney who is elected to a four-year term and who must be admitted to practice law in Montana. Vacancies are filled by appointment of the county commissioners. If a vacancy occurs and no licensed eligible attorney resides in the county, the Board of County Commissioners has the power to employ special counsel from outside the county.

County attorneys, as of 1975, receive annual salaries ranging from $8,265 to $25,000, half of which is paid by the state. Compensation is based on a scale or formula which considers the population of a county and its taxable valuation, except in the case of a county attorney of a county with more than 30,000 population, who may be paid $25,000 for full-time work at the discretion of the county commissioners.

Five counties now have full-time county attorneys, who are precluded from engaging in private practice by law. In 50 counties, the county attorneys give part time to public duties and part time to private practice. One county, the smallest in population, contracts by interlocal agreement for the part-time services of a neighboring county attorney.

The county must provide the county attorney with office space, supplies, and a support staff. In first and second class counties, a county attorney may have one chief deputy and one other deputy unless the county commissioners determine that more or fewer are needed. In third class counties, the county attorney may not have more than one chief deputy and a deputy. In practice, about ten counties have more than one deputy; and two of the three most populous counties have 6 each. A deputy may be paid up to 90% of the county attorney's salary if the county attorney is part-time, or 70% of a full-time county attorney's salary.

In addition to the responsibilities for criminal prosecution, the county attorney has numerous statutory civil functions. He is the legal advisor of the Board of County Commissioners and other county agencies. He represents the county in all actions, suits, and proceedings to which the county is a party. He must, when required, give his opinion in writing to county officers on matters relating to the duties of their respective offices. He must also represent the state in all maters and proceedings within the county to which the state is a party or in which it may be beneficially interested.

It is the duty of the county attorney to assist the juvenile probation officer in investigating complaints under the Youth Court Act and to prosecute all persons charged with violating any provisions of the youth act when requested by the youth court.

The Board of Crime Control sponsored a day-long seminar in office management for prosecutors in connection with the 1975 meeting of the Montana County Attorney's Association. The seminar was conducted by officers and consultants of the National District Attorney's Association. About 50 county attorneys or their deputies attended all or part of the session.

A major project in deferred prosecution was begun in Yellowstone County in mid-August, 1975, funded largely by the Montana Board of Crime Control. As of this writing, the organizational phase is complete and the deferral program has commenced. Set up as a separate division in the office of the county attorney, the deferred prosecution program includes multi-agency oooperation, the use of many community resources, and considerable citizen involvement. It is modeled, with local adaptations, on the Flint, Michigan program.

Montana cities and towns may employ a city attorney, although they are not statutorily required to do so. The office may be created or abolished by the city council, but if the council decides to engage a city attorney, the appointment is made by the mayor with the council's advice and consent. An appointment is for 2 years, with a salary or fees set by ordinance. The city attorney must be admitted to practice law in Montana. The county attorney may also serve as attorney for a third class city if such arrangements are made through interlocal agreement. It is the duty of the city attorney to prosecute on behalf of the city in city court or district court. Moreover, he must draw contracts and ordinances for the city council as required and furnish the mayor or city council, as requested, written opinions on questions pertaining to the duties, rights, liabilities, and powers of the municipal corporation. He may be suspended or removed from office by the city council for the neglect, violation, or disregard of these duties or of the ordinances of the city.

2. Defense

Although Montana does not have a statewide public defender program, at least 5 counties and one judicial district have salaried public defenders under the permissive statute allowing county commissioners to establish such an office and to provide for the appointment of a defender and such assistants as may be necessary. The established offices range in size from one to 5 attorneys, all part-time and also engaged in private practice, except for the district defender, who is employed on a full-time basis under a discretionary grant from LEAA.

The counties with public defenders include the most urban counties in Montana. There is one defender in a relatively rural county. Although the district defender's area is predominantly rural, the district includes the state prison and 2 state hospitals, and his responsibilities encompass the representation of indigent defendants from the 3 institutions except for post-conviction remedies for prisoners in the penitentiary.

Compensation of public defenders is determined and paid by county commissioners. In one county, the commissioners contract for the service with a lawyer or firm. In other counties the appointive power has been delegated by the commissioners to the local district judge.

At least 2 counties attempt to gain reimbursement for the services of a public defender from a defendant who was indigent at the time of representation but who is later employed. The practice has been upheld in Montana and federal district courts, but the question of its validity is currently on appeal to the Court of Appeals for the Ninth Circuit.

In counties or districts without a public defender, counsel for indigent defendants is provided by assigned private attorneys. By statute, counsel must be assigned by a court of record (i.e., by a district court or by a justice of the state supreme court). Although an indigent defendant in justice court (or city court) is entitled to court-assigned counsel, the justice courts and city courts are not courts of record and therefore cannot assign counsel. The defendant must appear before the district court for a determination of indigency and to have counsel assigned. Once made, the assignment of an attorney to an indigent defendant is effective until final judgment, including any proceeding upon direct appeal, unless relieved by the court. Counsel may also be assigned to a defendant, petitioner, or appellant in any post-conviction proceeding if he desires counsel and is unable to employ counsel.

An assigned attorney is renumerated for his services with a sum certified to be reasonable compensation by a district court or justice of the state supreme court.

The costs are chargeable against the county where the proceeding arose except that in proceedings solely involving the violation of a city ordinance or state statute prosecuted in a city court, the costs are chargeable to the city or town where the proceedings arose, and in proceedings involving an arrest by agents of the department of fish and game or agents of the department of justice, the costs are to be borne by the state agency causing the arrest. Whether state government or a county incurs the costs of counsel for indigent defendants prosecuted by the Special Prosecutor's office in the department of justice is a question currently being litigated.

By statute, a defendant may waive right to counsel unless he is a juvenile defendant in a felony case, in which circumstances he is to be represented by counsel at every stage in a proceeding. Court interpretation of this provision, however, allowed waiver, finding it to be knowing and intelligent, in the case of a seventeen year old defendant convicted of robbery, who had spent time in a state correctional institution and had been given 3 Miranda warnings.

A statewide membership association for Montana criminal defense attorneys, including public defenders, was recently organized as a non-profit corporation. Among its purposes are the fostering of cooperation and continuing education among lawyers who defend criminal cases and the improvement of the judicial and correctional systems in Montana. The first project planned by the group is to be a seminar on trial tactics for defense attorneys.

3. Codes of Criminal Law and Procedure

Montana recently revised its codes of criminal law and criminal procedure. The code of criminal procedure was enacted in 1967, with extensive modifications in 1971. It is based on the old Montana code, Montana case law, federal case law, statutes and decisions of sister states and proposed model legislation. The code most relied upon was the Illinois Code of Criminal Procedure, passed in 1963. The new criminal law code became effective January 1, 1974. Its sources are similar to those from which the code of criminal procedure was drawn. The draft revision of both codes was prepared by the Montana criminal law commission, whose chairman was an associate justice of the supreme court, and whose vice chairman was the professor of criminal law at the University of Montana school of law. The commission's work in drafting both codes was funded in part by the Montana Board of Crime Control, as is a similar revision of the rules of evidence, currently underway.

4. The Montana Bar Association

As is true in many other states, the bar association is governed by elected officers, while admission to the bar and discipline and removal are among the constitutional responsibilities of the supreme court. As indicated previously, the Montana bar was unified by supreme court order effective July 1, 1975. Organization of the unified bar is not yet complete, but the office of the executive secretary estimates that the State Bar of Montana will include between 1,350 and 1,450 members.

Graduates of the University of Montana School of Law are admitted to practice in the state by "diploma privilege" (without a bar examination requirement). The constitutionality of the diploma privilege has been upheld in tests in state and federal court, with denial of certiorari by the U.S. Supreme Court. A passing grade on a written examination is mandatory for graduates of other law schools, except those who qualify for admission by virtue of reciprocity with another state may be admitted on motion.

5. The Law School

Cognizant of the responsibilities associated with the "diploma privilege," the law school gears its curriculum to the production of general practice lawyers and trial attorneys for Montana. In the criminal justice area, 2 semester hours of criminal law, 3 hours of criminal procedure, and 4 hours of evidence are required. All courses are taught with a Montana Law emphasis. Other required courses include contracts, property, federal and state civil procedure, constitutional law, commercial transactions, agency and partnership, corporation law, torts, professional responsibility, and courtroom and office practice.

Most students in their third year participate in the Defender Project, which is the representation, previously discussed, of prisoners in the state penitentiary for purposes of sentence reduction and/or post-conviction remedies. The Defender Project is supervised by a law professor and is financed in part with funding from the Montana Board of Crime Control.

Thirty to 40 students a year participate in summer internship programs in offices of Montana county attorneys, city attorneys, judges, or defenders. These internships have been made possible by grants from the Montana Board of Crime Control.

The Supreme Court, in 1975, adopted a new student practice rule allowing law students to practice before the state district courts under the supervision of a licensed attorney.

JUVENILE JUSTICE

The juvenile courts of Montana are a part of the District Court and the District Judges have full discretion over the court's activities. By law, the judge may appoint a chief probation officer and necessary deputies, and order the county to supply whatever resources are necessary to run the juvenile court.

The court is completely supported by the counties within the judicial district, except the judge's salary is partially funded by the state.

As the general operating procedures of the court are determined by the judge, there are as many different operating procedures as there are judicial districts. A disadvantage of this "non-system" of administering justice is its inherent inequity: A youth in one area of Montana may be treated entirely different from a youth committing the same offense in another part of the state. However, this fragmented arrangement permits the courts to act more expediently and effeciently than if they were part of a large system.

Ninety-five percent of the cases referred to the juvenile court are handled through informal disposition by the juvenile probation officer.

The majority of offenses committed by youth referred to the juvenile court are "status offenses," which are not offenses for adults. Liquor violation is still the major juvenile offense (19%).

The Montana juvenile courts are experiencing a phenomenon in the area of referral services. In the past three years the percentage of non-law enforcement referrals has increased steadily for the female offender; in 1974, non-law enforcement referrals accounted for 17 percent of the females received by the court. Most of these are parental referrals, and indicate that people are using the court as an agency for solving family problems.

The stated objectives of the Montana juvenile court system are:

(1) to preserve the unity and welfare of the family whenever possible, and to provide for the care, protection and wholesome mental and physical development of a youth coming within the provisions of the Montana Youth Court Act;

(2) to remove from youth committing violations of the law the element of retribution and to substitute therefor a program of supervision, care, and rehabilitation;

(3) to achieve the purposes of (1) and (2) in a family environment whenever possible, separating the youth from his parents only when necessary for the welfare of the youth or for the safety and protection of the community;

(4) to provide judicial procedures in which the parties are assured a fair hearing and recognition and enforcement of their constitutional and statutory rights.

The unstated objectives of the Montana juvenile court system are:

1. to keep as many juveniles as possible out of the formal court system;

2. to provide court services such as counseling, foster care, psychological help, etc., to juveniles and their parents before they enter the formal juvenile court;

3. to develop community awareness of the juvenile system without releasing names of juveniles;

4. to develop a series of alternatives prior to formal court action in juvenile matters;

5. to develop the use of community resources outside of the court to help juveniles;

6. to de-emphasize the word delinquent when dealing with outside groups;

7. to get communities to work with youth to keep youth from entering the system;

8. to teach the juvenile how to help himself;

9. to eliminate or slow down delinquent behavior in juveniles.

It should be noted that the stated objectives of the Montana juvenile court system are set by law. The formal system is two-fold in that it provides for a system which will treat juveniles as parents should "normally" treat them,

and it establishes a framework to provide legal safeguards. The unstated objectives are the basis for the informal juvenile court system. There may be many other unstated objectives but they are the most commonly observed.

There are 47 juvenile probation officers occupying 38 offices in 18 judicial districts in the state.

The programs offered include: individual and group foster care programs, private and public institution programs, medical and mental examinations, work study programs, youth-offense work programs, specialized-counseling programs, officer-evaluation programs, and, resource development programs which include jobs-for-youth, volunteerism, camps, foster care, education,

Outside resource referrals used in all districts to varying degrees include: mental health care, youth centers, legal aid assistance, social and rehabilitation departments, health departments, and school referrals.

The juvenile probation officer has a variety of duties, some of which are incompatible with other duties. He may be involved in the arrest, detention, preliminary inquiry, and probation of a youth coming into the system. He may be involved further in prosecuting the youth before the court as well as completing the pre-sentence investigation of the youth. In some cases, the juvenile probation officer not only has to do pre-sentence investigations of juveniles but also of adult offenders. The latter duty is not a proper role of the juvenile justice system, much less the juvenile court system. In a few districts, the juvenile probation officer is involved in completing social investigation reports on divorce cases.

The Montana Youth Court Act, the first major revision of the state's youth-related laws in 30 years, was passed by the 1974 Legislative Assembly. The Act is an attempt to remedy many of the problems stated herein; for example, specifying that a juvenile probation officer may no longer participate in a youth's apprehension; clarifying the county attorney's role in formal proceedings; eliminating the prosecution functions of the probation officer.

Travel often involves so much time that the officer is simply processing youth rather than counseling.

A hindrance to efficiency in the juvenile court system is the apparent lack of selection and training criteria for employees. Uniformity is difficult in the current arrangement of eighteen sub-systems.

Other constraints are the lack of office space for counseling, inadequate manpower, and overall a lack of money to achieve program and personnel objectives. In six judicial districts, adequate secretarial help is unavailable, placing additional duties upon the probation officers. Probation officers' salaries are set by statute, requiring legislative action for increases, a factor that has caused problems for career promotion.

One of the main reasons volunteers have been encouraged to enter the Montana juvenile court system is to facilitate handling of the problems that full-time professional people cannot.

Data about court operation gives only an account of what is happening at a given time in budgets and programs. The system, even on a judicial district basis, does not analyze the data nor is it capable of doing so at this time. It is easy to check the number of youth who flow through the system but no method has been used in Montana to observe and keep track of youth once they enter it, nor to evaluate the corrective treatment. In response to this problem, the Board of Crime Control is working with the courts to develop an information system which will aid in the administration of the individual courts and improve planning on the state and local level.

Table C-5

BOARD OF CRIME CONTROL
MONTANA JUVENILE COURT STATISTICS
STATE TOTALS

COLLECT PERIOD-JANUARY-DECEMBER 1974 SEX- MALE

CATEGORY	ITEM	ANT	PER CENT
RACE	1-CAUCASION	4608	86
	2-INDIAN	613	11
	5-OTHER	164	3
REFERRED BY	1-L.E. AGENCY	5146	92
	2-SCHOOL	130	2
	5-PARENT	150	3
	7-OTHER	159	3
PRIOR	1-YES	2747	49
DELINQUENCY	2-NO	2838	51
	3-TOTAL OFFENSES	6858	
CARE PENDING	1-NO DETENTION	4104	73
DISPOSITION	2-OVERNIGHT JAIL	1385	25
	5-OTHER	96	2
MANNER	1-INFORMALLY	5159	92
HANDLED	2-FORMALLY	426	8
DISPOSITION	00-WAIVED TO CRIMINAL COURT	4	
	01-DISMISSED	188	3
	11-WARNED	2298	41
	12-HELD OPEN OR PENDING	524	9
	13-INF. PROB.	1234	22
	14-REFERRED OR RETURN RUNAWAY	506	9
	15-TEMP. CUST.	38	1
	16-OTHER INFORMAL	520	9
	21-COMMITTED PUB. J. D. INSTIT.	120	2
	22-COURT CUSTODY FORMAL PROB.	68	1
	23-PRIVATE AGENCY OR HOME	16	
	24-DEP. COMMITTMENT OR SUSPENDED	49	1
	25-OTHER FORMAL	20	
DIAGNOSTIC	A.MENTAL		
SERVICES	1-AVAILABLE	270	5
NEEDED	2-NOT AVAILABLE	47	1
	3-NOT INDICATED	5268	94
	B.MEDICAL		
	1-AVAILABLE	164	3
	2-NOT AVAILABLE	10	
	3-NOT INDICATED	5411	97
	C.SOCIAL		
	1-AVAILABLE	775	14
	2-NOT AVAILABLE	51	1
	3-NOT INDICATED	4759	85
EMPLOYMENT	OUT OF SCHOOL		
	1-NOT EMPLOYED	841	15
	2-WORKING FULL-TIME	99	2
	3-WORKING PART-TIME	60	1
	4-N/A PRE SCHOOL		

CATEGORY	ITEM	ANT	PER CENT
EMPLOYMENT	IN SCHOOL		
	5-NOT EMPLOYED	4075	73
	6-WORKING FULL-TIME	217	4
	7-WORKING PART-TIME	293	5
SCHOOL GRADE	1-BELOW NORMAL	931	17
ATTAINMENT	2-NORMAL	4634	83
	3-ACCELERATED	20	
SCHOOL ADJUST	1-SERIOUS PROBLEMS	1013	18
	2-NO PROBLEMS	4572	82
MARITAL	1-MARRIED AND TOGETHER	3142	56
STATUS OF	2-BOTH DEAD	37	1
PARENTS	3-FATHER DEAD	333	6
	4-MOTHER DEAD	103	2
	5-SEPARATED OR DIVORCED	1804	32
	6-FATHER DESERTED	37	1
	7-MOTHER DESERTED	5	
	8-OTHER	124	2
LIVING	1-WITH BOTH PARENTS	2936	53
ARRANGEMENT	2-MOTHER AND STEP-FATHER	590	11
OF OFFENDER	3-FATHER AND STEP-MOTHER	165	3
	4-MOTHER ONLY	1058	19
	5-FATHER ONLY	185	3
	6-RELATIVE S HOME	202	4
	7-FOSTER HOME	91	2
	8-INSTITUTION	94	2
	9-ALONE	81	1
	10-OTHER	183	3
FAMILY	1-PUB. ASSISTANCE	472	8
INCOME	2-UNDER $3,000	46	1
	3-$3,000 - $5,000	211	4
	4-$5,000 - $10,000	1670	30
	5-OVER $10,000	1410	25
	6-UNKNOWN	1776	32
RELIGIOUS	1-VERY ACTIVE	157	3
ACTIVITY	2-MODERATELY ACTIVE	1146	21
	3-NON-PARTICIPATING	4282	77
RESIDENT	1-NOT CURRENTLY A RESIDENT	587	11
LENGTH	2-UNDER ONE YEAR	434	8
	3-UNDER FIVE YEARS	692	12
	4-FIVE YEARS OR MORE	3858	69
RESIDENCE	1-RURAL	1512	27
LOCATION	2-URBAN WITHIN CITY LIMITS	4073	73
NUMBER OF DAYS DETAINED		3814	
AVERAGE DAYS BETWEEN REFERRAL AND DISPOSITION		8	

Table C-5 (Cont'd.)

BOARD OF CRIME CONTROL
MONTANA JUVENILE COURT STATISTICS
STATE TOTALS

COLLECT PERIOD-JANUARY-DECEMBER 1974 SEX- MALE

OFFENSE LISTING				AGE								
CODE NO	OFFENSE TITLE	TOTAL	PER CENT	0-8	9	10	11	12	13	14	15	16	17	18 & OVER
0120	ARSON	13		2			1	2	4	2	1		1	
0130	ASSAULT	94	2	2		2		4	5	8	15	26	32	
0140	AUTO THEFT	187	3	1		3	3	6	23	31	43	54	23	
0220	BURGLARY	551	10	6	7	11	27	33	51	102	122	104	87	1
0300	CHECK CHARGES	39	1				2	4	2	3	12	11	5	
0401	DEL. CURFEW VIOLATION	316	6	1	2	2	2	7	17	35	52	98	99	1
0402	DEL. UNGOVERNABLE	266	5	2	2		7	14	18	38	64	67	54	
0403	DEL. PROB. VIOLATION	68	1				2	1	9	18	12	22	4	
0404	DEL. LOCAL RUNAWAY	268	5		1	3	6	14	36	51	68	66	23	
0405	DEL. NON-LOCAL RUNAWAY	161	3			1	1	1	13	25	44	46	30	
0406	DEL. TRUANCY	147	3			1	4	9	31	42	48	6	6	
0407	DEL. UNSUPERVISED	38	1				1		2	5	11	11	8	
0408	DEL. HEALTH & MORALS	55	1		1	1	3	2	6	9	9	8	16	
0409	DEL. DEPEND & NEGLECT	12			1		2		1	2	2	2	2	
0410	DISTURBING THE PEACE	172	3	2		4	7	8	14	20	23	40	54	
0430	DANGEROUS DRUGS	305	5					5	8	34	52	78	127	1
0500	ESCAPES	4									1		3	
0510	EXPLOSIVES	4								2	1		1	
0610	FIRE & GASE	52	1						1	5	11	16	19	
0620	FORGERY	30	1				2	1	2	6	4	8	7	
0630	FRAUD	11				1				4	1	1	4	
0801	MANSLAUGHTER VOL.													
0802	MANSLAUGHTER INVOL.													
0803	MANSLAUGHTER MOTOR VEH.													
0804	MURDER 1ST DEGREE													
0805	MURDER 2ND DEGREE													
1201	LARCENY GRAND	195	3	4	4	6	5	7	26	27	28	52	36	
1202	LARCENY PETIT	461	8	10	11	11	30	27	59	52	73	109	78	1
1203	LARCENY POSS. STO.PROP.	76	1		1		3		6	12	16	19	18	1
1204	LARCENY SHOPLIFTING	321	6	9	4	18	22	43	41	47	46	48	43	
1210	LIQUOR VIOLATION	720	13			1	5	4	13	52	129	248	264	4
1300	MALICIOUS MISCHIEF	599	11	22	24	22	37	62	72	91	88	86	93	2
1320	MISCELLANEOUS	33	1		1	1	2	2	6	5	1	8	7	
1800	RAPE	1								1				
1830	ROBBERY	17							3		5	6	3	
1910	SEX CRIMES	34	1					2	2	5	5	11	8	1
2010	TRAFFIC	278	5					3	10	22	66	77	100	
2300	WEAPONS	21		1			1	4	1	2	2	8	2	
	OTHER	36	1	1						5	13	6	11	
	TOTAL BY AGE	5585	1	63	59	88	175	265	482	763	1068	1342	1268	12
	AGE PER CENT			1	1	1	3	4	8	13	19	24	22	

SECTION D: CORRECTIONS

Montana State Prison

The Montana State Prison, located at Deer Lodge, Powell County, can accommodate an inmate population of 600 male offenders. The maximum-medium unit, in downtown Deer Lodge, is a walled fortress type facility constructed during the period 1869-1879 to serve as a federal territorial prison. In 1874, the care and custody of the prison was transferred to Montana and in 1889 the new state of Montana took over its operation. The prison's medium-minimum unit, constructed between 1958 and 1963, is located on the ranch some 5 miles southwest of the city.

Female inmates are processed and classified by the Deer Lodge facility but are housed elsewhere. All female inmates who can be housed at Warm Springs State Hospital are placed there, and those who require more security are housed out of state, preferably at Nebraska's Women's Penitentiary at York, Nebraska. As of June 30, 1975, the count was 6 females incarcerated (2-Warm Springs State Hospital; 3-York, Nebraska; 1-C.I.W., California).

Table D-1
FY74 Admissions to Montana State Prison

	Total	Start Sent.	Trans. (all)	Prob./ Parole Violators	Return Excapee	No Prior	Prior Admissions
TOTAL	375	260	44	59	12	232	143
%	100	69	12	16	3	62	38

FY75 Monthly Admissions to Montana State Prison

July	36	26	2	6	2
August	23	14	2	7	0
September	30	23	0	5	2
October	29	25	0	4	0
November	36	25	1	8	2
December	18	14	0	4	0
January	36	28	1	6	1
February	35	29	3	2	1
March	25	21	2	2	0
April	52	49	0	1	2
May	40	36	2	5	3
June	31	23	1	7	0
TOTAL	397	313	14	57	13
%	100	79	4	14	3

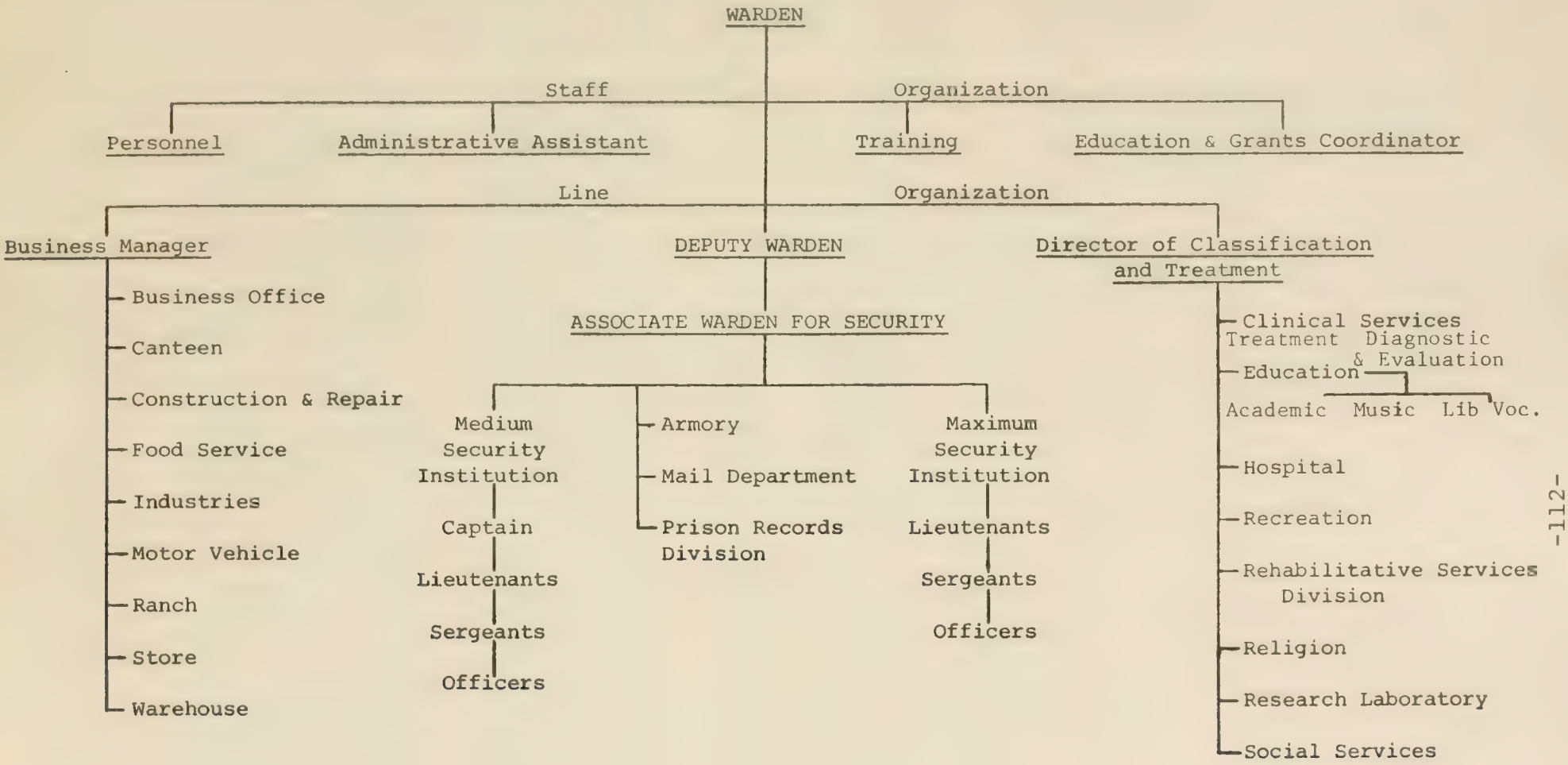


ILLUSTRATION D-1

Organization of Montana State Prison

During FY 75, the average daily inmate population (346.72) reflected an increase of 27 men per day over the FY 74 figure and an increase of 36 men per day over the FY 73 figure. It is anticipated that the FY 76 average daily inmate population will be approximately 350.

Through April, 1977, it is anticipated that the physical plant facilities at the main prison will be the primary housing unit in order that construction for the housing units and the renovation of the other facilities at the medium-minimum facility's location can be completed as rapidly as possible.

The old walled fortress physical plant has an eight tier cellblock and one open bay housing unit, in addition to a school building, a food service building, a gym, an infirmary, a theater, and an industries and maintenance complex. The services provided within the complex include religious programs, both vocational and academic educational programs, recreation, and medical, psychological, social, and rehabilitative services. Public and private agencies contribute to the total services program. Illustration D-1 shows the organizational structure of the services provided by major departments.

The old physical plant continues to deteriorate and is costly to maintain in good condition. Because of its total layout, it is difficult to institute better and more effective rehabilitative programs.

After receiving funds for a new Correctional Facility, the Department of Institutions and the Prison Staff quickly obtained approval from the National Clearinghouse for Criminal Justice Planning and Architecture for its proposed advance designed facilities. The new construction will be on the existing site of the prison ranch.

Construction of the new facilities began in October, 1974. It is anticipated that the major construction will be completed within two years, at which time the old facility will no longer be used for housing inmates. The change from the old to the new facility will allow further upgrading of all activities and programs as well as changing orientation from a custodial-industrial type environment to one of education, training, and treatment. This change in orientation is a result of the awareness that a new physical plant without improvements in the total correctional system would not be meaningful. Programming must be

relevant, tying into what is happening in the community; in fact, it must be as close to ongoing society as possible so that maximum generalization will take place as the incarcerated person moves from a rehabilitative environment into society.

The 33,000 acre ranch will continue to be an asset to the prison. Current ranch operations include growing hay and grain, maintaining pasture lands, keeping a 200-head dairy herd which is one of the most modern in the state, maintaining a 1600-head beef cattle herd, a swinery, and a slaughter house. The ranch operation is primarily geared to produce and supply the prison and most other state institutions with beef, pork, and meat by-products. Secondarily, the ranch serves as a vocational educational training ground. Currently, programs are being drafted which would train the inmates in such vocations as beef herdsman and feedlot or dairy industry technician. It is felt the ranch provides an ideal setting in which an offender can learn to become a supporting member of society.

Other inmate programs include:

POST SECONDARY EDUCATION PROGRAM FOR THE INCARCERATED

In January, 1973, the Prison implemented a post secondary education program for the incarcerated on a pilot basis through financial support of the Board of Crime Control and cooperation of the University of Montana. The results for the limited number of courses offered reflected a grade distribution fairly equal to students in a university setting. After exploring this as a possible means of inmate rehabilitation, the prison strongly felt that the program should be continued, and expanded. Through the joint efforts of the Prison, the University, and the Board of Crime Control, the program was continued and enlarged. At present, it offers the inmates a variety of useful courses scheduled so the inmates can take advantage of them. Some courses meet during the normal work day while others are held evenings or on weekends. The program was expanded to include an Associate of Arts degree, for which registration was held in September, 1975.

From these results, the program is felt to be a success primarily because it meets needs of the young offender and may provide the spark which may make possible that change in his life that rehabilitators seek.

The Post Secondary Education program per se is probably not the answer for all correction's clients, especially if the "success path" remains restricted to higher education as the only way to succeed. In today's penal institutions, enough resources must be programmed so that true rehabilitation may become a reality.

SECONDARY EDUCATION PROGRAM

The Secondary Education Program offers complete adult education, encompassing studies from grades 1 through 12 under the direct supervision of qualified teachers. A self-study program for the GED certificate is also available, allowing inmates to progress on their own or under the supervision of an education counselor. Correspondence courses are offered, but with the great number of other avenues open, the popularity of that type of study has declined.

Recapitulation: Secondary Education Programs FY73-FY75

	1973	1974	1975
Cost-Education			
Adult Basic Education Program	$50,645	$54,818	$62,621
Performance			
ABE Program			
Inmates' Average Standard Achievement Test Score	8.5grade	8.2grade	*
No. enrolled in acad. classes	130	117	148
Total possible student hours	18,000	17,200	*
Teacher hours	8,000	7,200	*
No. GED certificates granted	40	37	30
No. taking corresp. courses	5	2	*

*Not available

VOCATIONAL EDUCATION PROGRAMS

Vocational education programs are also available to the inmate in culinary arts, meat cutting, and auto mechanics. Two new programs, welding and electricity, are scheduled for implementation during FY76.

Recapitulation: Vocational Education Program FY72 - FY74

	1972	1973	1974
Cost - Inmate Training			
Manpower Development & Training	$186,439.27	$145,933.00	0
Inmate Training			$135,500.00
MDTA Program (phase out in 73)			
No. of Vocational Training Courses (open entry-exit type)	3	3	0
No. enrolled in Vocational Training Courses	70	101	0
Vocational Training Programs Sponsored by State	(none)	(none)	3
No. enrolled in Vocational Training Courses	0	0	73

CLINICAL SERVICES PROGRAM

Funded by the Board of Crime Control, the Clinical Services Program employs one full-time clinical psychologist as project director and a second clinical psychologist on a consulting basis. Two part-time clinical psychologist trainees will be hired. This program is still in early stages, but is progressing.

INDIAN PRE-PAROLE OFFICER/COUNSELOR

Continuation of Board of Crime Control funding for services provided by the Indian pre-parole officer/counselor has helped immensely in obtaining greater rapport with the Indian inmates and in their placement in vocational and educational programs as well as in post-release jobs.

Staff programs include:

PROFESSIONAL DEVELOPMENT TRAINING

The Board of Crime Control has funded the Prison's staff training programs to enable staff to have professional officer knowledge of the correctional process and human behavior.

The FY 74 program was a result of improvements over the FY 73 program. The new employee is required to complete a 40-hour Employee Orientation Course. A Probationary Correctional Officer is required to complete the 56-hour Correctional Officers' Basic Course, which is specifically designed to teach the new officer what his job involves. These two levels of training are state funded and are scheduled to be completed during the officer's probationary period. Experience has shown that the Prison's greatest attrition occurs during the first eighteen months of employment and is primarily linked to low salaries.

The Basic Professional Development Training Course is given correctional officers after 12 months of employment. Funded by the Board of Crime Control, it consists of 160 hours of intensified specialized classroom training and practical seminars. The courses are taught by University of Montana professors, local professionals, and the best in-house specialists. An Advanced Professional Development Training Course consisting of 32 hours of specialized training was developed late in FY 74 as an annual requirement for those officers with more than 2 years of tenure who have successfully completed the other levels of training.

POST SECONDARY EDUCATION PROGRAM FOR THE CORRECTIONAL STAFF

A Law Enforcement Education Program (LEEP) is now in its fifth year for the Correctional Staff. This program is sponsored by the University of Montana on an extension basis, with the courses given in Deer Lodge at the Powell County High School. Originally, the courses were administered as extension courses with no degree objective in mind and one or two courses were being offered each quarter. In March, 1971, four courses were offered per quarter on a four quarter basis and scheduling of courses has continued at that rate. In late 1971, the Two-Year Certificate Program for Correctional Officers was instituted. As of June, 1974, nine persons from the Correctional Staff have received their two-year certificates and five more were eligible. Further program improvements were made during FY 74 in that an AA Degree for Correctional Officers was approved and was implemented with classes commencing Fall Quarter, 1974.

The LEEP program has been a tremendous asset to the Prison and has been well received. Class participation is approximately 20 students each quarter with an average total involvement of approximately 50 LEEP students. The courses are open to the public for $21.00 per quarter credit. Each class normally has four to six community people enrolled.

TABLE D-2
PROGRAM COST SUMMARY
MONTANA STATE PRISON BUDGET
FY 1973-1975

	FY 1973	FY 1974	FY 1975
Administration	$ 146,366	$ 170,599	$ 196,361
Care & Custody	1,443,668	1,546,682	1,852,124
General Services	562,273	734,552	920,851
Education	50,645	54,818	62,681
Ranch	361,064	794,739	723,836
Bureau of Identification	49,317	27,899	32,241
Manpower Development & Training	145,933	31,289	-0- *
Plate Manufacturing	-0-	595,361	43,154
Inmate Training	-0-	135,500	158,538
TOTAL PROGRAMS	$2,759,266	$4,091,439	$3,989,786
Personal Services	$2,004,937	$2,246,073	$2,599,002
Operating Expenses	686,853	1,789,194	1,236,992
Equipment & Livestock	15,309	47,172	153,792
LEAA Grants	52,167	-0-	-0- **
TOTAL BY CATEGORY	$2,759,266	$4,091,439	$3,989,786
General Fund	$2,419,144	$1,661,503	$2,568,636
Earmarked Revenue Fund	108,908	610,795	43,154
Federal & Private Revenue	85,281	1,819,141	262,379
Manpower Development & Training	145,933	-0-	-0-
Federal Revenue Sharing	-0-	-0-	1,115,817
TOTAL FUNDING	$2,759,266	$4,091,439	$3,989,786

*Included in Care & Custody
**Included in Above Categories

TABLE D-3
EMPLOYEE AND INMATE COST SUMMARY
FY 1973-1975

	FY 1973	FY 1974	FY 1975
Cost - Administration	$146,366.00	$170,599.00	$196,361.00
Performance			
Employees			
Count	229	220	244
Hired	102	135	89
Terminated	111	111	72
Year End Count	220	244	261
Inmates			
Annual per Capita Costs	9,714.01	8,445.91*	9,295.10*
Daily per Capita Costs	26.61	23.14	25.47

*Does not include Ranch or Tag Plant

TABLE D-4
CASELOAD SUMMARY
FY 1973-1975

	FY 1973		FY 1974		FY 1975	
Cost - Care & Custody	$1,443,688.00		$1,546,682.00		$1,852,124.00	
Performance						
Total Inmate Days	103,600.78		116,741.60		126,552.80	
Average Daily Count	284.06		319.84		346.72	
Receipts	Male	Female	Male	Female	Male	Female
Received Regular	259	10	205	9	275	6
Returned Parole Violators	53	0	48	1	51	0
Violated Suspended Sentence	20	1	21	0	*	*
Violated Deferred Sentence	0	0	21	2	*	*
Returned From Warm Springs	15	10	16	7	10	7
Returned From Swan River	26	0	15	0	7	0
Returned From Galen	1	0	2	0	3	1
Returned Probation Violators	7	0	6	0	6	0
Returned By Court Order	4	0	4	0	3	0
Returned From Escape	7	2	11	1	12	1
Recd under Interstate Compact	4	0	3	0	14	0
Received for Safe Keeping	0	0	3	0	1	0
TOTALS	396	23	355	20	382	15

TABLE D-5

Montana State Prison
Inmate Analysis

The following is a compilation of statistical data relating to the prison and its population.

Monthly Admissions to State Prison FY 1974 & 75

	FY74	FY75		FY74	FY75
July	27	36	January	33	36
August	22	23	February	33	35
September	19	30	March	37	25
October	32	29	April	36	52
November	31	36	May	31	46
December	40	18	June	34	31

TOTAL - 375 (FY 1974)
- 397 (FY 1975)

Admissions by Crime

TOTAL	FY1974*	FY1975*
Against Person	258	281
Homicide	(77)	(68)
Forcible Rape	9	12
Robbery	8	7
Assault	19	28
Manslaughter	29	19
Lewd & Lascivious Acts	7	2
	5	0
Against Property	(143)	(167)
Arson	2	1
Burglary	53	80
Destruction of Property	6	0
Larceny-Theft	34	52
Receiving Stolen Property	9	0
Crimes Involving Checks	39	33
Other	(38)	(46)
Drugs	27	29
Sex	0	0
Other	11	17

*New Receipts Only

Table D-5 (continued)

Admissions by Race and Sex

	FY1974	FY1975
White	187	225
Indian	20	21
Indian/White	38	20
Indian/Negro	1	0
Negro	4	5
Mexican	4	8
Mexican/White	1	0
Spanish	1	1
Spanish/White	2	0
TOTAL	258*	281*
Male	247	275
Female	11	6
TOTAL	258*	281*

*New Receipts Only

Admissions to Prison by Age

AGE	FY1974	FY1975
17 & under	1	2
18-20	59	87
21-25	86	87
26-30	38	43
31-35	18	27
36-40	13	11
41-45	14	10
46-50	12	4
51-55	9	3
56-60	7	4
60 & over	1	3
TOTAL	258*	281*

*New Receipts Only

New Receipts Only are defined as those inmates who are received regular, violated suspended, or deferred sentences.

TABLE D-6
Releases From Montana State Prison

	FY75			
	TOTAL	PAROLED	DISCHARGED	OTHER
JULY	38	23	7	8
AUGUST	27	19	4	4
SEPTEMBER	32	21	5	6
OCTOBER	25	14	5	6
NOVEMBER	17	11	4	2
DECEMBER	24	19	3	2
JANUARY	30	17	6	7
FEBRUARY	18	10	2	6
MARCH	42	27	6	9
APRIL	42	23	7	12
MAY	30	19	5	6
JUNE	43	29	5	9
TOTAL	368	232	59	77

TABLE D-7
Releases From Montana State Prison by Type

	FY75		
	MALE	FEMALE	TOTAL
Parole Regular	211	7	218
Parole in Custody	13	1	14
Discharged Regular	19	0	19
Discharged with Balance Suspended	32	0	32
Deceased	9	0	9
Escaped	13	1	14
Transferred to Warm Springs	15	7	22
Transferred to Swan River	22	0	22
Released on Bond	0	0	0
Released by Court Order	5	0	5
Released for Interstate Transfer	5	0	5
Transferred to Pine Hills	0	0	0
Safekeeping Release	0	0	0
Discharge & Remains	1	0	1
Transferred to Galen	4	1	5
Discharge in Custody	2	0	2
TOTAL	351	17	368

TABLE D-8
MANPOWER
STAFF-INMATE RATIOS FY 1975

Category	Ratio
Correctional Staff	1:2.62
Treatment	1:49.53
Medical	1:57.79
Teachers	1:28.30
Support	1:4.52
Overall (234.25:346.72)	1:1.48

THE BOARD OF PARDONS

In 1955, the State Legislature revised the laws dealing with parole, probation, and executive clemency, appointing a field staff and a 3-man Board of Pardons that meets once a month.

The 1975 Legislature revised the laws pertaining to the Board of Pardons, placing the adult probation and parole field services under the Department of Institutions effective July 1, 1975. The Board of Pardons remains and still provides the services for the Parole Board. There are 32 employees in the adult probation and parole division.

Executive Offices of the Board are located at 1119 Main Street, Deer Lodge. District offices are located in Missoula, Great Falls, Billings, Kalispell, Polson, Butte, Havre, Helena, Bozeman, Glendive, Miles City, and Forsyth.

The Board of Pardons administers Adult Probation for Montana's eighteen Judicial Districts and twenty-eight Judicial District Judges, and furnishes the counties with requested services. (See Illustration C-1, Map of Judicial Districts) The map in illustration D-2 shows the division offices of the Board of Pardons.

Principal goals of the agency include protecting society during the offender's term of sentence required for proper behaviorial modification, and returning to society a law-abiding citizen able to live within the framework of law and order.

Objectives of the Board of Pardons are:

1. To provide the offender with sufficient supervision to eliminate further acts of delinquency without dehumanization;

2. To help the offender locate proper residence and employment to sustain his needs during the entire term of sentence on probation or parole;

3. To facilitate proper treatment the offender may require for good physical and mental health;

4. To better enable the offender to operate within the system and to cope with handicaps imposed as a result of the conviction;

5. To encourage the offender to seek additional academic or vocational training as required to obtain his or her goals for the future;

6. To provide fair and just treatment for all regardless of ethnic origin or religious beliefs.

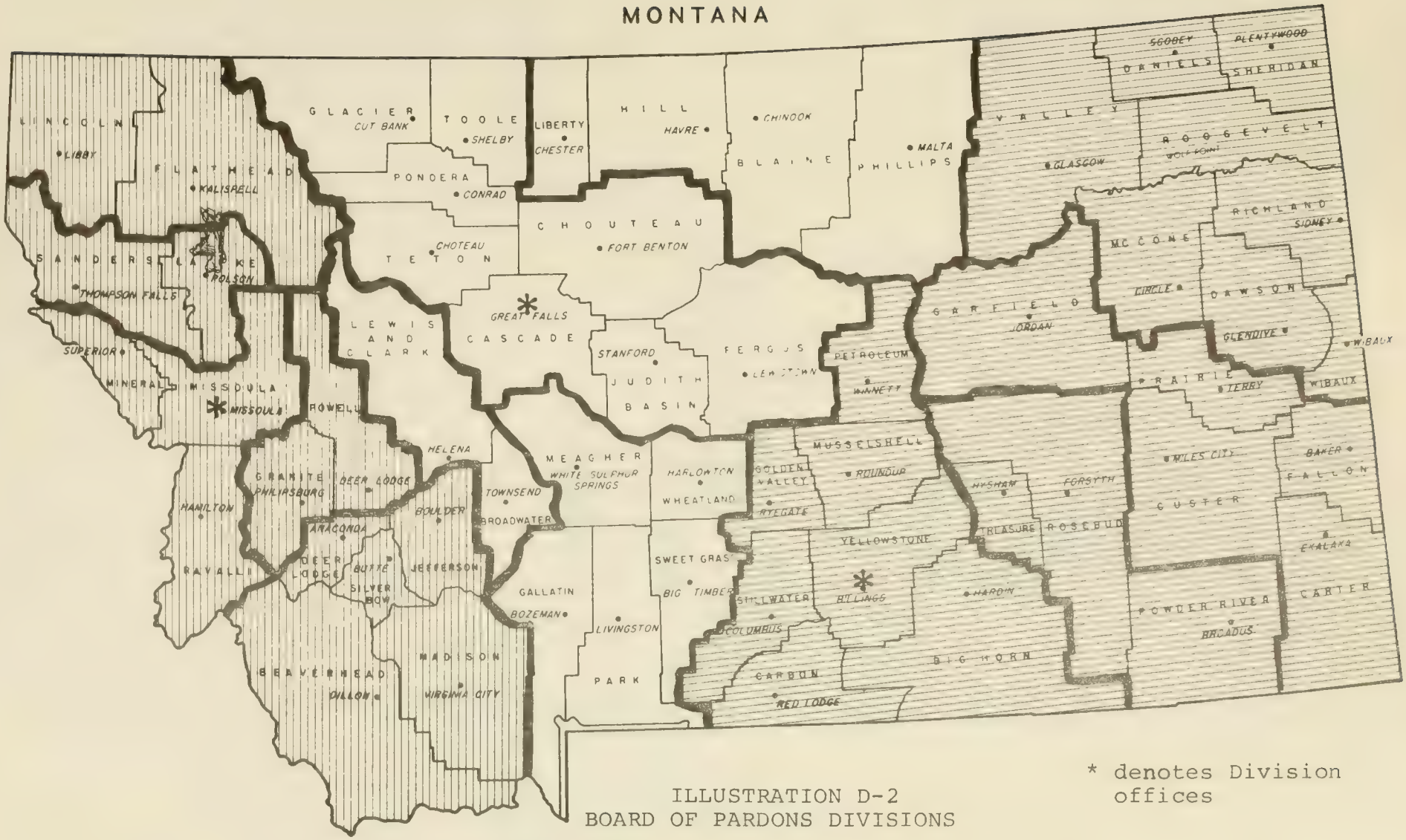


ILLUSTRATION D-2
BOARD OF PARDONS DIVISIONS

* denotes Division offices

TABLE D-9
Paroles From July 1, 1974 to June 30, 1975

July, 1974	24
August, 1974	19
September, 1974	22
October, 1974	14
November, 1974	11
December, 1974	19
January, 1975	17
February, 1975	12
March, 1975	27
April, 1975	23
May, 1975	19
June, 1975	29
TOTAL	236

TABLE D-10
BOARD OF PARDONS EXPENDITURES

Fiscal Year 1975

EXPENDITURES	
Personal Services	$300,555.00
Operations and Capital	79,437.00
TOTAL EXPENDED	379,992.00

SOURCE OF FUNDING	
General	370,556.00
Federal and Private Revenue Fund	9,436.00
TOTAL FUNDING	379,992.00

TABLE D-11

	Commutation of Sentence	Final Discharge	Pardon	D.F.S.
July 1974	0	5	3	4
August 1974	0	17	0	4
September 1974	0	16	2	12
October 1974	0	13	0	6
November 1974	0	10	3	9
December 1974	0	12	1	6
January 1975	0	7	2	3
February 1975	0	14	1	6
March 1975	0	10	0	6
April 1975	0	6	2	23
May 1975	0	7	0	3
June 1975	0	4	0	5
	0	121	14	87

TABLE D-12
Caseload of Board of Pardons for Fiscal Year Ending June 30, 1975

	Interviews	PV Ret to MSP	PV Re-paroled	Pub. Hrg.	Disc Cases	Total
July 1974	30	2	1	0	14	47
Aug 1974	24	9	0	0	10	43
Sept 1974	20	8	0	1	17	46
Oct 1974	27	4	0	0	19	50
Nov 1974	25	11	0	0	13	49
Dec 1974	24	1	0	0	12	37
Jan 1975	22	12	0	0	8	42
Feb 1975	26	7	0	0	10	43
Mar 1975	17	4	0	0	16	37
Apr 1975	39	4	0	0	14	57
May 1975	23	8	0	0	8	39
June 1975	28	10	0	0	17	55
	305	80	1	1	158	545

TABLE D-13
Reports Rendered by Field Officers During Fiscal Year

	Field Inv	Pre-Sent Inv	Pre-Release Inv	Prob Inv	Viol Inv	Ex Clem Inv	Total
July 1974	13	40	50	61	97	7	268
Aug 1974	22	40	57	49	105	0	273
Sept 1974	31	47	54	57	84	1	274
Oct 1974	26	78	53	57	89	0	303
Nov 1974	13	53	45	53	94	2	260
Dec 1974	21	69	42	95	63	1	291
Jan 1975	15	85	30	102	71	1	304
Feb 1975	4	56	28	63	65	0	216
Mar 1975	12	88	49	119	78	0	346
Apr 1975	7	82	23	115	84	0	311
May 1975	13	84	39	113	77	1	327
June 1975	12	50	34	93	64	4	257
	189	772	504	977	971	17	3,430

TABLE D-14
Paroles From July 1, 1974 to June 30, 1975

Beaverhead	0	Granite	0	Powell	20
Big Horn	0	Hill	3	Prairie	0
Blaine	1	Jefferson	1	Ravalli	2
Broadwater	0	Judith Basin	0	Richland	2
Carbon	0	Lake	3	Roosevelt	0
Carter	1	Lewis & Clark	22	Rosebud	2
Cascade	22	Liberty	0	Sanders	2
Chouteau	0	Lincoln	1	Sheridan	0
Custer	0	McCone	0	Silver Bow	14
Daniels	0	Madison	1	Stillwater	0
Dawson	2	Meagher	1	Sweetgrass	0
Deer Lodge	5	Mineral	0	Teton	1
Fallon	0	Missoula	25	Toole	1
Fergus	6	Musselshell	3	Treasure	0
Flathead	4	Park	2	Valley	0
Gallatin	6	Petroleum	0	Wheatland	1
Garfield	0	Phillips	1	Wibaux	0
Glacier	0	Pondera	0	Yellowstone	30
Golden Valley	0	Powder River	0		
Out-of-State	51				
	98		63		75
		TOTAL			236

TABLE D-15
Paroles & Discharges by Month

	Paroled	Discharged	Prison Population
July 1974	24	4	332
Aug 1974	19	2	328
Sept 1974	22	5	327
Oct 1974	14	4	331
Nov 1974	11	2	350
Dec 1974	19	2	341
Jan 1975	17	6	350
Feb 1975	12	2	367
Mar 1975	27	6	350
Apr 1975	23	6	359
May 1975	19	5	376
June 1975	29	4	364
	236	48	4,175
		AVE.	347.9

TABLE D-16
Caseload of Field Officers

	Montana		Out-of-State		
	Parole	Prob.	Parole	Prob.	Total
July 1974	309	1,113	43	121	1,586
Aug 1974	297	1,097	47	131	1,572
Sept 1974	303	1,123	43	144	1,613
Oct 1974	300	1,153	40	154	1,647
Nov 1974	314	1,121	34	150	1,619
Dec 1974	318	1,122	37	147	1,624
Jan 1975	318	1,195	42	135	1,690
Feb 1975	321	1,201	39	138	1,699
Mar 1975	344	1,215	36	146	1,741
Apr 1975	336	1,267	39	145	1,787
May 1975	338	1,286	44	163	1,831
June 1975	332	1,350	49	157	1,888
	3,830	14,243	493	1,731	20,297
AVERAGES	319	1,187	41	144	1,691

The Board of Pardons is concerned with the following target groups:

1. PROBATIONER: Probation is a course of treatment in which final action in a case is suspended or deferred, allowing the offender to remain at liberty, subject to conditions imposed by or for the Court, under the supervision and guidance of a parole-probation worker.

2. PAROLEE: A parolee is an offender who, after serving part of a term in a correctional institution, is conditionally released under supervision and treatment by a parole-probation worker.

The Board employs 32 people supervised by a Director and his administrative staff, which includes an Assistant Director, Institutional Parole Officer, and three employees. The district offices are under the direct supervision of the administrative office.

A parole and probation officer must have a bachelor's degree in behaviorial science or a related field; however, education can be substituted on a 2 to 1 basis for experience in a related field.

Duties of the Parole Board are: to review requests for parole, to conduct parole violation hearings, and to conduct public hearings for executive clemency.

Parole is granted at the discretion of the Parole Board. In general, parole is granted when, in the Board's judgment, a prisoner who has made a satisfactory adjustment and is otherwise eligible will avoid violation of the law, and when the factors which will affect him and his dependents upon release assure adequate public security. These factors vary in every case. The Board evaluates each case on its merits and acts as its judgement indicates to grant parole or to continue the case at a later date.

The following are some of the factors the Board considers in its decision making:

A. Sentence Data
    1. Type of sentence
    2. Length of sentence
    3. Recommendation of Judge, County Attorney, and other responsible officials and citizens

B. Facts and circumstances of the offense
   1. Mitigating and aggravating factors
   2. Activities following arrest and prior to confinement, including adjustment on bond or probation, if any

C. Previous criminal record
   1. Nature and pattern of offense(s)
   2. Adjustment to previous probation, parole, and confinement
   3. Detainers

D. Changes in motivation and behavior
   1. Changes in attitude toward self and others
   2. Reasons underlying changes
   3. Personal goals, motivation and resources available

E. Personal and social history
   1. Family and marital
   2. Education, academic and vocational
   3. Employment and military experience
   4. Physical and emotional health

F. Institutional Experience
   1. Program goals and accomplishments
      a. Religion
      b. Therapy
      c. Vocational training or work assignments
      d. Academic
      e. Recreation and leisure time use

   2. General Adjustment
      a. Inter-personal relationships with staff and peers
      b. Behavior, improvement and misconduct

   3. Physical and emotional health and treatment

G. Community Resources
   1. Residence: family, friends, or other
   2. Employment: work, training and academic
   3. Special needs: hospitalization, halfway house, etc.

Steps in parole are:

1. Pre-parole committee composed of prison department heads, with the Warden as Chairman, meet ten days to two weeks before the Parole Board meets to make recommendations. A report on each inmate reviewed is forwarded to the Board of Pardons for study by Board members.

2. The institutional parole officer makes a separate report based on an interview with the prisoner, on his prison records, and on records of the Board of Pardons.

3. The members of the parole board review case studies sent to them each month at least one week prior to the monthly meeting. At the board meeting in Deer Lodge, each inmate is interviewed, cases are reviewed, and decisions are made to grant or deny parole.

4. Those granted parole are required to attend pre-release school held by the institutional parole officer. This school includes a review of the rules and regulations they must live by while on parole. At this time each prospective parolee submits his final parole plan. The institutional parole officer in turn sends these plans to the field officer in the district the parolee intends to go to. The plan is investigated by the field officer and if he approves, he returns it to the institutional parole officer who clears the inmate from prison on his parole eligibility date.

5. When a parolee violates the terms and conditions of his parole, he is afforded the opportunity of a preliminary on-site hearing. This hearing is held by a Hearing Officer from the Board of Pardons to determine if there is probable cause to believe the parolee has violated the terms and conditions of his parole. If it is determined there is probable cause, the parolee is returned to prison and will have a hearing before the Board at its next meeting. After considering reports from the field supervisor and studying the testimony of the witnesses heard at the hearing, the Parole Board may: 1) reparole, 2) require that additional time be served on the sentence, or 3) require that the full sentence be served.

The Board is also required to study requests for commutation hearings,to hold public hearings for commutation recommendations to the Governor, to study cases for discharge from supervision when recommended by the field officer, and to grant or deny this request.

The following is the complete procedure for executive clemency or pardon:

1. Individual makes application to the Director of the Board of Pardons in letter form giving his current address and reason for applying for a pardon.

2. Upon receipt of this letter:

   A. An application for executive clemency is forwarded to the applicant to be filled out and returned with three (3) letters of recommendation. Letters can be from a businessman, minister, sheriff, policeman, friend, or other interested person.

   B. A request for investigation is sent to the field officer in the area where the applicant resides. The field officer investigates and returns the request upon completion.

   C. The Central Office requests a current FBI rap sheet.

3. The applicant returns his completed application and letters of recommendation to the Central Office.

   The field officer's investigation is received at the Central Office, a date is set for the applicant to appear before the Board of Pardons, and he is notified when and where to appear.

4. The Central Office staff compiles all information received from the applicant, field officer, records and current FBI rap sheet and submits it to the Board with its recommendations.

5. The applicant appears before the Board of Pardons for a personal interview. The Board considers all the information it has received and recommends or denies executive clemency for the applicant.

6. The above information is forwarded along with all material received by the Central Office to the Governor, who considers all the information submitted to him, and grants or denies executive clemency.

7. The Office of the Governor notifies the applicant of his decision.

8. The Governor is the only person who has power to grant executive clemency.

The rules and regulations of the Board of Pardons for parolees and probationers are as follows:

1. The parolee or probationer shall respect and obey the law and at all times be a good citizen.

2. The parolee is under the legal custody of the Montana State Prison and the warden thereof. The probationer is under the jurisdiction of the sentencing court and all parolees and probationers are under the control and supervision of the Board of Pardons.

3. The parolee or probationer shall proceed without delay to his assigned destination and report his arrival within 24 hours to the parole officer or other designated person. If paroled to a destination within the state, he may not remove himself from the district without first securing permission from the parole officer.

4. The parolee or probationer must make a monthly report on the last day of each month thereafter to the parole officer giving required information on forms provided.

5. The parolee or probationer shall not carry or be in possession of any burglary tools or deadly weapons as defined by the state statute.

6. The parolee or probationer shall not use to excess beer or intoxicating liquors. He shall not buy, sell, use, or be in possession of dangerous drugs.

7. The parolee or probationer shall make proper efforts to find and keep employment and shall support his legal dependents, if any.

8. If marriage is planned, the parolee or probationer must inform his parole officer.

9. Any installment or credit purchases shall be made only with permission of the parole officer.

10. The Board of Pardons may require additional conditions to be met by the parolee or probationer in order to best suit him for society.

INTERSTATE COMPACT ARRANGEMENT

In 1934, Congress authorized agreements or compacts among the states for cooperative effort and mutual assistance in the prevention of crime. Since then, each of the fifty states, plus Puerto Rico and the Virgin Islands, has become signatory to an interstate compact for the supervision of parolees and probationers.

The primary purpose of the Interstate Probation and Parole Compact is to discourage the practice of "sundown probation or parole;" i.e., release conditioned upon leaving the jurisdiction, never to return, and without thought given to supervision. That practice was, of course, self-defeating and a denial of the fundamental goal of probation and parole to end criminal careers through the rehabilitation of those convicted of crime.

Plan for 1976

Problem areas as presented by the Adult Probation and Parole Field Officers to be worked on during 1976 to help this agency meet its principal goals are:

1. Promote a public relations program that will inform the community of the importance of a correctional system, its function, and benefit to the community

2. Acquire adequate office space, equipment, and clerical help for Adult Probation and Parole Field Services

3. Develop a program to improve the promotional system for Adult Probation and Parole personnel to include improvement in the fringe benefits (additional contribution to health insurance, etc.).

4. Establish a program to provide a maintenance program for inmates when released from prison on parole; i.e., first 3 months after release be eligible for unemployment compensation

5. Initiate long-range planning program for Adult Probation and Parole budget to assure it of a budget that will enhance the opportunities of meeting the established goals

6. Reduce each field officer's caseload to 50 units as recommended by the Manual of Correctional Standards

7. Develop a program to insure the field officer more involvement in professional organizations (Montana Correctional Association, American Correctional Association, and local civic organizations)

8. To provide uniform transportation for all staff (use of state motor pools through the Highway Commission)

9. Provide a program of Vocational and Educational Orientation to inmates in Montana State Prison to give them a better understanding of vocational and educational opportunities upon release from prison

10. Reduce the number of forms used by Adult Probation and Parole and improve the efficiency of those which are needed for adequate reporting and servicing of the client, and review current Rules of Parole and Probation for needed changes

11. Support the University Year for Action Program and its endeavors for an increased subsistence allotment

12. Promote pre-service and in-service training for Adult Probation and Parole staff

13. Provide a statewide directory for community resources

14. Provide more alternatives to incarceration; i.e., community centers, halfway houses, Swan River, and secure budget to allow this agency an opportunity to contract services of the local mental health centers

15. Revise sentencing statutes to a maximum of 5 years for any suspended sentence

CITY-COUNTY JAILS

Montana's local community jails are independent of any statewide authority. Each community having a jail facility is required to construct, operate, and maintain the facility and auxiliary programs utilizing local administration.

Montana law states: "There must be built or provided and kept in good repair in each county, one common jail, at the expense of the county, at the county seat."

To determine the condition of local jails, a survey was conducted between February, 1973, and March, 1974, on the physical condition of 56 county or consolidated jails, 40 city or county-branch jails, and 5 Indian tribal jails.

The survey found most jails in fair to poor condition (generally, however, tribal jails are newer and better equipped than most city and county jails) although the condition of all jails varies considerably.

There is a continuing trend in Montana for consolidation of jail facilities. The 1973-74 survey shows there are 38 city-county consolidated jails and 24 county seats with separate city and county jails, but there are 10 communities which are considering or have already planned future consolidation of jail facilities, which leaves only 8 county seats in which separate city jail facilities are maintained.

JAIL FACILITIES

Age of the Jail Facilities*

Year of Construction	County	City
Before 1900	10 (18%)	3 (8%)
1900 through 1919	25 (45%)	8 (20%)
1920 through 1939	12 (21%)	6 (15%)
1940 through 1959	2 (3%)	7 (17%)
1960 through 1974	6 (11%)	10 (25%)
Year unknown	1 (2%)	6 (15%)

Two of the county and 3 of the city jail facilities are new since the 1971 jail survey. Ten more counties and cities have indicated that new jail facilities are definitely planned in the near future, and an additional 7 have tentative plans for new jail construction. Also, 5 jails have planned or are already engaged in extensive jail remodeling projects.

* 1973-74 Survey

Capacity of the Jails*

Total bed capacity of the county jails was found to be 1104; city jails 310.

Bed Capacity	County Jails	City Jails
Fewer than 10 beds	16 (28%)	29 (72%)
10 - 24 beds	24 (43%)	8 (20%)
25 - 39 beds	11 (20%)	3 (8%)
40 or more beds	5 (9%)	--

A total of 208 prisoners were incarcerated in county jails on the dates of survey visit. There were 35 present in the city jails visited.

Admission Procedures and Recordkeeping*

Five county jails and 24 city jails are operated only as short-term lockup facilities; prisoners are not held for longer than 48 hours, and admission procedures are minimal. The remaining jails will hold prisoners for longer periods of time.

Admission Procedures for Long-Term Prisoners Include*	County	City
Recording of health information	12 (21%)	--
Prisoner weigh-in	5 (9%)	--
Mandatory shower	26 (46%)	5 (12%)
Issue of jail clothing	26 (46%)	1 (3%)
Issue of sheets or mattress cover	19 (34%)	7 (17%)
Issue of a mattress	all	all
Issue of blankets	all	all

Physical and Mechanical Aspects*

Heating	County	City
Adequate	40 (71%)	27 (68%)
Poor	13 (23%)	7 (17%)
Ventilation		
Good	11 (20%)	15 (38%)
Fair	21 (37%)	5 (12%)
Poor	24 (43%)	14 (35%)
Lighting		
Good(20 foot-candles)	9 (16%)	8 (20%)
Fair(10-20 foot-candles)	30 (54%)	16 (40%)
Poor(10 foot-candles)	17 (30%)	10 (25%)

* 1973-74 Survey

Electrical Hazards

Thirty-six county jails and 15 city jails have unprotected light fixtures in detention areas, or other hazardous electrical wiring conditions.

Floor space - Twenty-four county and 8 city jails do not meet the requirements of 50 square feet of floor space for each potential occupant. Some have 4 bunks in cells with as little as 60 square feet of floor area.

Fire Safety*

Detention facilities by their nature present a special fire danger. Jails for the most part are of non-combustible construction, but bedding and other combustible contents are a hazard. Nine of the jails reported the occurence of jail fires in recent years, and one fire resulted in a death.

Only 8 (14%) county jails and 8 (20%) city jails had no noted deficiencies in fire safety provisions.

Toilet and Bathing Facilities*

All the jails have toilet facilities for inmates, and most have lavatory and bathing facilities. In many of the older jails, plumbing fixtures are deteriorated and in poor repair.

Bathing Facilities	County	City
Showers, or shower & tubs	45 (80%)	18 (45%)
Bathtubs only	7 (13%)	--
No bathing facilities	4 (7%)	20 (50%)
Facilities in insufficient numbers	13 (23%)	--
Facilities in poor condition	26 (46%)	6 (15%)
Toilet Facilities		
Inadequate number	6 (11%)	5 (12%)
Fixtures in poor condition	19 (34%)	6 (15%)
Lavatories		
Inadequate number	3 (5%)	6 (15%)
No lavatories provided	--	3 (8%)
Fixtures in poor condition	11 (20%)	5 (12%)
Only cold water supplied	19 (34%)	16 (40%)

*1973-4 Survey

Jail Food Service*

Prisoner meals are obtained in various ways. Some jails have a kitchen, some obtain meals from a licensed restaurant or caterer, and in others food is prepared in a home kitchen (e.g., by sheriff's wife or a deputy's wife) and brought to the jail. Only 8 of the jails maintain records of the daily menus.

Food Preparation	County	City
Kitchen located in the jail	23 (41%)	5 (13%)
Hired cook, or staff members cook	17 (30%)	4 (10%)
Prisoners Cood(unsupervised)	6 (11%)	1 (3%)
Food prepared in an unlicensed "home" kitchen	18 (32%)	--
Meals from a licensed outside establishment	15 (27%)	27 (67%)
No food service provided	--	8 (20%)
Feeding Schedule		
Three meals served	15 (27%)	7 (17%)
Two meals served	29 (52%)	19 (48%)

Dining Facilities

Most often prisoners are fed in their cells. Eleven county jails and 1 city jail have dayroom or bullpen areas with tables and benches, or a table in the kitchen area. None has a separate dining room.

Housekeeping and Maintenance*

Many of the jails rely in whole or in part on the inmates to clean the detention areas. Varying degrees of staff supervision and inspection are employed. In some cases trusty prisoners also do minor maintenance or painting chores, but as a rule inmate duties are limited to general housekeeping. Proper cleanliness and sanitation are hampered in many of the jails by poor design and by general deterioration of the building interior.

Cleaning and Housekeeping Duties	County	City
Chiefly by prisoners	35 (62%)	13 (32%)
Chiefly by staff personnel	7 (13%)	9 (23%)
Building janitor	14 (25%)	3 (8%)
Cleaning observed to be inadequate	27 (48%)	12 (30%)
Jail not easily cleanable	22 (39%)	7 (17%)

* 1973-4 Survey

Laundry*

Many of the small jails and lockups have only blankets to launder. Others regularly launder blankets, sheets, towels, and jail clothing. In most cases the laundry is sent to a commercial establishment.

Laundry Facilities	County	City
Laundry facilities provided in the jail	11 (20%)	1 (3%)
Prisoners wash clothing in their cells	6 (11%)	1 (3%)
Laundry done outside the jail	26 (64%)	24 (60%)

Medical Coverage for Inmates*

None of the jails has a full-time jail physician. In one county the full-time health officer provides medical coverage for the jail part-time, and the remaining jails obtain medical care in the following ways:

	County	City
Physician "on-call"	37 (66%)	17 (42%)
Available physician at a local hospital or clinic	10 (18%)	9 (23%)
County nurse "on-call"	3 (5%)	2 (5%)
No medical care available locally	5 (9%)	12 (30%)

* 1973-4 Survey

Separation of Prisoners*

Juveniles

Forty-four county jails segregate juveniles from adults, 3 do not, and 6 do not hold juveniles.

Ten city jails segregate juveniles and 9 do not hold juveniles.

Twenty-nine county and 2 city jails reported foster home care is available for the detention of juveniles.

Twenty-two county and 4 city jails reported that juveniles are allowed to attend school while in jail. Others surveyed stated that this problem was not applicable to them.

Dependent and/or neglected children are kept in 12 county jails and in 3 city jails. Other city facilities surveyed noted that this problem was not applicable.

The juvenile court uses the jail as a deterrent to delinquency by placing juveniles in jail over the weekend in 33 county jails and 8 city jails surveyed.

Adults

Felons are kept separate from misdemeanants in 13 county jails and in 4 city jails. In 40 county jails, they are not kept separate.

Five of the county jails surveyed and 2 of the city jails keep sentenced prisoners separate fromthose awaiting trial or disposition. This was not applicable to the remaining jails.

Sentenced drunks are kept separate from other prisoners in 19 county jails and in 9 city jails. Two of the jails do not separate them. The remaining jails have only an overnight detention facility.

Persons Experiencing Alcohol Withdrawal or Drug Intoxication*

Thirty-two county jails have no special facilities for persons experiencing alcohol withdrawal; 8 have a drunk tank, and 7 have a special cell.

Ten city jails take persons experiencing alcohol withdrawal to the hospital, 7 have special facilities, and 1 has a padded cell.

* 1971 Survey

Twenty-nine county jails send persons experiencing drug intoxication to the hospital and 5 put them in isolation. Sixteen jails have no special facilities for dealing with these persons.

Of the city jails, 10 reported that persons experiencing drug intoxication are taken to the hospital. One jail puts them in a padded cell. In 7 jails there are no special facilities for handling these persons.

Fifteen county and 2 city jails make religious counseling available and 22 county and 7 city jails have work furlough programs.* Upon request, Alcoholics Anonymous programs are usually available.

All jails will hold prisoners for other cities and counties. In 46 counties, federal prisoners are held in the county jail. Ten city jails keep federal prisoners overnight only.*

The counties surveyed in 1971 reported a total of 298 sworn law enforcement personnel and 125 non-law enforcement personnel.

The 13 cities surveyed in 1971 reported a total of 326 officers and 79 other personnel -- mostly clerical. The law enforcement personnel of both counties and cities all share the duties of jailer. Very few of the jails surveyed had designated certain personnel as full-time jailer.

When female prisoners were held, the matron in many cases was the sheriff's or deputy's wife.

Periodic shakedown of the cells and cell block area is a common practice and efforts are made to do this inspection at irregular times to avoid establishing a pattern the inmates recognize.

Most jails have a double door locking system which provides additional security. When it is necessary to enter the cell block area for feeding or admitting another person, the general practice is to utilize two officers whenever practicable.

Although statewide figures are in some cases approximate, the 1973-74 jail survey shows that between July 1, 1973, and June 30, 1974, some 10,271 persons were incarcerated in city and county jails for an average stay of 15 days.

*1971 Survey

JUVENILE CORRECTIONAL INSTITUTIONS

Swan River Youth Forest Camp

In 1967, legislation created the Swan River Youth Forest Camp, established as a cooperative effort between the Department of Institutions and the State Forester. Since then, the Division of Vocational Rehabilitation has also become involved in the rehabilitation program. The institution is charged with the care, custody, and rehabilitation of boys aged 16 to 25 who have been transferred from Pine Hills School or the Montana State Prison. Legislation passed in 1975 prohibits courts from making direct commitments to the Camp.

The institution, which has a rated capacity of 50, maintains an average daily population of 40, up from the previous year. Median length of stay is 4.9 months. Many of the young inmates transferred from the prison remain in residence for only one or two months.

The annual per capita cost is $6,204 or $15.57 daily per capita. The total fiscal budget for the camp is $253,000, which includes $58,000 of federal funds (Division of Vocational Rehabilitation and ESEA Title I). Full-time employees number 21 with a resident full-time employee ratio of 1.95 to 1.

Federal funds established a special educational program which includes a teacher and an assistant. The three areas of emphasis are remedial work, special needs, and preparation for the graduate equivalency examination. This program increases the probability of residents' success upon release. Fifty-nine boys participated in the program in 1973.

Vocational programs are among the core concerns of the camp. Teaching good work habits is considered more important than teaching a trade, although residents are given experiences with as many different types of work as possible in the isolated environment. The residents work with the State Forestry Department in all areas of timber management except marketing. Other activities are: fire prevention, suppression, and control; first aid; search and rescue; and limited equipment operation and maintenance. Camp residents develop and maintain public campgrounds in the surrounding recreational areas and improve and maintain Forest Service roads and bridges. The residents' work completed for the Forest Service last year was valued at more than $75,000.

Job evaluation and assessment are obtained from the vocational rehabilitation counselor on a limited basis. Plans are being made for a more in-depth and complete evaluation and assessment. The vocational rehabilitation counselor also assists with training and employment placement upon release of the resident. Also involved in the program are eight other counselors with an average caseload of 6 residents. The Mental Health Clinic in Ronan accepts referrals in order to provide complete diagnostic services and in-depth professional counseling.

The camp boasts a recidivism rate of 12% for the first 5 years of operation and a recent study shows that 80% of the releases are "making it" on their first release.

An in-service staff training program is taught by instructors from the University of Montana, and is available to all the employees of the institution.

Both program and camp setting present opportunities for personal involvement, self-work, and increasing self-respect of the young man. This provides for the return to society of the well-adjusted, healthy person who can make correct decisions and positive contributions.

Table D-17
Swan River Youth Camp

Physical Capacity:

Educational Capacity - 50
Dormitory Capacity - 50 - Biennium - 35 limit
Food Service Capability - 50

Staff: 19

Program	Full-Time Equivalent
Administration	4.00
Care and Custody	12.00
General Services & Physical Plant	4.00
Education & Training	1.00
TOTAL	21.00

Average Enrollment - 40
Average Length of Stay - 4.9 months
Student/employee ratio - 1.95:1
Cost per student day -$15.57
Cost per student year - $6,204

Total Operating Plan and Average Population
Summary

	Total Cost	Average Population
FY 1970	235,975	30
FY 1971	203,109	26
FY 1972	258,027	25
FY 1973	224,748	41
FY 1974	253,000	40

Table D-17 (Cont'd.)

Follow-up from start of project through April, 1973:

Fiscal Year	Gainfully Employed, Closure	No. Referred
1969	0	69
1970	6	33
1971	14	34
1972	26	38
1973	40 est.	70 est.

Closed as gainfully employed through fiscal year 1972 - 46 clients

Attempted follow-up.....46
Successful personal adjustment.....31
Employed same job.....10
Employed other appropriate job.....15
College on G.I. Bill..... 1
Training under B.I.A. 1

Returned to institution:
Montana State Prison..... 1
Montana State Hospital..... 1
Deceased..... 1
Unemployed..... 4
Whereabouts unknown.....11

Unsuccessful case closures - 2
1 deceased, hit and run accident
1 in prison in California

Mountain View School for Girls

The Mountain View School for Girls was established in Helena in 1919 as an extension of the Boys and Girls Industrial School at Miles City.

The school is charged with the care, education, and rehabilitation of girls between the ages of 10 and 21 who are committed to the institution by the juvenile courts as adjudicated juvenile delinquents.

Mountain View School is within the Department of Institutions. The Institution has a rated capacity of 75, and an average daily population the last 4 years of 69,65, 59, and 66. The school had 74 new commitments during FY 74-75. The average length of stay was 8.6 months compared to 9.1 months in the preceding year.

The annual cost of keeping a child at Mountain View is $7,157.65, or $19.61 per day. The current employee - student ratio is 1.07/1.

Table D-18
Mountain View School

Physical Capacity:

Educational Capacity - 75
Dormitory Capacity - 80
Food Service Capability - 90

Staff: 60

Program	Full-Time Equivalent
Administration	5.0
Care & Custody	34
General Services & Physical Plant	12.0
Education & Training	12.86
TOTAL	64.86

Commitment Cases

Average Enrollment - 96
Average Length of Stay - 8.6 months
Student/Employee ratio - 1.11:1
Cost per student day -$19.61
Cost per student year -$7,157.65

The Social Services Department consists of a director, 2 caseworkers, a psychologist, and a secretary. Individualized treatment and counseling programs are emphasized. The function of the department has been expanded with the increased use of the pre-adjudication evaluation. Recent legislation permits juvenile courts to send a girl to Mountain View for evaluation before making a final disposition. Twenty-two such cases were processed last year and present indicators forecast a more extensive use of this service in the future.

Involvement in the community is a major part of the rehabilitation process of Mountain View. Last year all the girls participated in an off-campus program involving some 1,900 student trips to town during the year. The girls have also worked as teachers' aides and nursery school aides, and nurses' aides at St. Peters Hospital, the Masonic Home and Western Care Nursing Home. Two girls attended Carroll College as part-time special students; others attended C.E.P. and Helena Vo-Tech.

Individual treatment of the residents is maintained throughout the rehabilitation program whenever possible. This includes counseling, education, and discipline procedures. The emphasis of the entire treatment and rehabilitation program is on the improvement of the girls' self-images and on the development of self-control.

The Group Life Department consists of a director and 21 cottage parents serving in 3 cottages.

To allow the old administration building to be used exclusively for the school program, a long-vacant cottage building was remodeled, eliminating the necessity of constructing a new school building.

The Education Department consists of a director, 8 full-time teachers, and 2 part-time teachers. The use of student teachers from Carroll College in Helena has been very helpful in providing individualized instruction. The increase in staff has allowed the curriculum to expand to over forty courses, including Black studies, Indian studies, drug abuse education, ceramics, and the principles of parenthood.

Table D-19
Mountain View School

Total Operating Cost & Average Population
Summary

	Total Appropriation	Average Population
FY 1970	425,606	64 - 1969-70FY
FY 1971	474,162	69 - 1970-71FY
FY 1972	512,905	65 - 1971-72FY
FY 1973	556,933	60 - 1972-73FY
FY 1974	568,607	
FY 1975	591,375	(1)

Pine Hills School for Boys

Pine Hills School for Boys was established by the legislature in 1893. It is located near Miles City on 360 acres of land. Pine Hills School is charged with the care, education, and rehabilitation of boys between the ages of 10 and 21 who are adjudicated delinquent.

The institution has a rated capacity of 150 and an average daily population over the past four years of 120,117, 127, and 126. In fiscal year 74-75 there were 122 new commitments. The annual per capita cost for keeping a boy at Pine Hills School is $7,274, which is a daily rate of $19.93. The ratio of average daily population to full-time employees is 1.31 to 1.

Table D-20
Pine Hills School

Physical Capacity:

Educational Capacity - in excess of 250
Dormitory Capacity - 150
Food Service Capability - in excess of 250
Heating Plant Capability - sufficient for 2 more cottages

Staff: 107

Program	Full-time Equivalent
Administration	8.0
Care & Custody	40.5
General Services & Physical Plant	22.5
Education & Training	22.0
Farm	4.0
Clinical Services	12.0
TOTAL	109.0

Average Enrollment (FY 1975) - 122.6
Average Length of Stay - 8.07 months
Student/employee ratio - 1.31/1
Student/teacher ratio - 6:54/1
Cost per student per day (FY 1973) - $19.41
Cost per student per year - $7,084.65

TABLE D-21
Pine Hills School
Budget: FY 1972

Program	Total Operational Plan	General Fund	PHS Fed. & Private Revenue Fund
Administration	94,874	94,874	
Care & Custody	307,227	282,227	25,000
General Services & Physical Plant	303,878	293,390	488
Education & Training	286,027	219,901	66,126
Farm	47,011	47,011	
Clinical Services	144,382	125,468	18,914
TOTAL	1,183.399	1,062,871	110,528

Total Operating Cost & Average Population Summary

	Total Cost	Average Population
FY 1970	1,005,985	116 - 69-70
FY 1971	1,122,683	120 - 70-71
FY 1972	1,197,573	117 - 71-72
FY 1973	1,215,873	129 - July 72 thru Apr 73
FY 1974	1,343,947	122.9 - 74-75

The clinical services department consists of a director, assistant director, 5 caseworkers, 2 psychologists, part-time psychiatrist, vocational rehabilitation counselor, and 2 full-time nurses. All boys receive individual or group counseling. Due to the make-up of the professional staff within this department, all diagnostic evaluations are obtained on campus.

A family counseling program has been greatly expanded and the institution is now providing transportation for on-campus family counseling to indigent family members, greatly enhancing the probability of residents' success to send male offenders over the age of 16 to Pine Hills for diagnostic evaluation sessions.

In FY 72-73, 61 evaluations were completed at the school. This is more than double the number done the previous year.

The group life department consists of a director, assistant director, and 31 full-time complied counselors. The director of clinical services is also the director of group life. There are 7 lodges on campus, 4 of which have house parents. Russel, Daily, Joseph, and Gregg Horse lodges have 4 couples and 2 relief couples. Custer lodge, a receiving lodge, has 3 full-time and 2 part-time men. Lewis and Clark lodges, the security and discipline lodges, have 3 full-time men each and a full-time counselor who provides individual treatment programming for the residents of these 2 lodges. There are also 9 full-time night supervisors who replace the house parents.

Chief Joseph cottage has recently been transformed into a minimum security lodge in order to give each boy maximum privacy. Special privileges are afforded to the boys in this cottage.

The education department consists of a director, an assistant director, and 18 full-time teacher positions. Another full-time position is federally funded. In recent years, a physical education building and the vocational training building have been built to supplement the school buildings. The school has been fully accredited since 1968.

An individualized program is planned for each resident including 6 hours classroom study per day.

Most delinquent boys arriving at Pine Hills School are school dropouts, unmotivated for further education and one to 3 years educationally retarded. The objective is to stimulate the students' desire to seek additional knowledge.

The teachers must aid these students in obtaining one to 3 years of educational skills in a short period of time, so the students will not fail in the public education system when released. About 75% of the boys in Pine Hills School are 3.5 or more grade levels below average in reading skills. A special program has been implemented at the institution to assist those boys with reading difficulties.

A 3,000 acre farm is operated by Pine Hills School. The farm provides the institutions with meat, milk, and most vegetables. This operation not only reduces the actual cost of institutionalization but also provides work experience for the residents, few of whom have developed work skills. Work experiences include care and use of farm equipment, meat processing and beef production, knowledge of planting and crop production, and dairy management.

The average length of stay for boys at the Pine Hills School is 8.07 months. This is down .79 months from the previous year. The recidivism rate at Pine Hills School for Boys was a very low 10.1%.

The school operates a host of off-campus activities including attending movies in Miles City, bowling, swimming, basketball, football, tennis, and dances at Camp Carefree near the Fort Peck Reservoir.

Pine Hills School attempts to rehabilitate each resident by changing his faulty and negative attitude and aiding him in gaining self-confidence. The overall philosophy is that each staff member is a therapist playing a significant role in modifying behavior.

BUREAU OF AFTERCARE

The Bureau of Aftercare is charged with the supervision of individuals who have been released from Mountain View School, Pine Hills School, Swan River Youth Forest Camp and Montana Children's Center (dependent neglected youth)

In 1975, the Bureau of Aftercare consisted of a Bureau Chief, Program Director, Training coordinator, a data processing clerk, 2 accounting clerks, 16 counselors, and 3 secretaries. The average caseload per counselor in FY 74 was 44. The Bureau had 935 youths within the program during FY 73-74.

Table D-22
Division of Aftercare

Staff: 19

Program	Full-Time Equivalent
Administration	3
Clerical	6
Counselors	16
TOTAL	25

No. of Clients (start FY 1972) - 522
(end FY 1972) - 660
(end FY 1973) - 502
(end FY 1974) - 535

Averate No. of Clients per counselor - 44
Cost per client per day - $.40 (1972)
Cost per client per year - $146.00 (1972)

Budget: FY 1974

Personnel Services	$159,956
Operation	180,663
Equipment & Livestock Benefits	10,476
Assistance, Grants & Benefits	121,000
TOTAL PROGRAM	$471,621

	TOTAL COST	NO. OF CLIENTS (June each year)
FY 1971	214,642	625
FY 1972	272,821	707
FY 1973	353,215	846
FY 1974	471,621	1037

The Bureau's FY 74 total budget was $471,621, which includes administrative costs, salaries, travel, supplies and individual living, and foster care payments.

Due to the inadequacies of the home environments of many adjudicated delinquents, the Bureau of Aftercare uses foster home and group placements as resources. The Bureau currently operates one group home, and administers the District Youth Guidance Home program. These youth guidance homes are resources to the juvenile courts for placement of adjudicated delinquents or juveniles "tending toward delinquency" and to the Bureau of Aftercare for placement after institutionalization. At the present time, a combination of state and LEAA funds support Youth Guidance Homes in the following communities: Missoula, Ronan, Great Falls, Livingston, Havre, Lewistown, Shelby, and Billings. The philosophy of the guidance home program is to provide community based treatment and responsibility to youth in trouble and to decrease the incarceration and institutionalization of youthful offenders.

TABLE D- 23
District Youth Guidance Homes

Location	Capacity	#of Boys In Program to 3/30/73	#of Days to 3/30/73	Cost Per Day Per Child
Missoula	10(boys only)	17	1747	$11.22
Polson	10	13	1296	9.98
Great Falls	10	14	2143	10.76
Shelby	8-10	14	1279	13.36
Helena	8(accepts girls only)			

Average Total Occupancy - 58
Average Occupancy - 8
Average Daily Cost Per Child - $11.33

Expenditures To March 30, 1973

	Shelby	Great Falls	Missoula	Polson
Personnel	5518.41	8235.09	11534.07	11179.68
Travel	212.05	674.79	540.72	450.00
Equipment	1475.11	6688.55	6410.40	3186.21
Supplies & Other	9884.26	14155.66	12471.41	8762.40
Total	$17,089.83	$29,734.09	$30,956.60	$23,578.29

Total to March 30, 1973 - $70,898.32(1)

The foster home program served over 11,000 child care days last year with a median length of stay of 212 days or 7 months. The daily per capita cost was 3.61. The group home program cost $11.81 per child care day.

Table D-24
Foster Home Program

Amount - $40,112.23
Average Length of Stay - 7 months
Daily per capita cost - $3.58
Number of homes - 60 (statewide - 1 child per home)

Foster care homes are private homes licensed and funded by the Division of Aftercare for providing adequate care to juveniles released from institutions.

One privately owned group foster care home is operating in Butte. It has a rated capacity of 10 boys.

Juveniles released to Bureau of Aftercare are placed in various types of programs. Training programs, on-the-job training, and work placements have always been of major emphasis. College placements have increased in importance as a major part of Aftercare's resources. The legislature has provided 16 possible placements within the State University system for these youth. Over 50% of the youth entering this program over the last 4 years are either still attending or have graduated.

Aftercare Caseload 1973-74

Referral Source:	MCC *	MVS	PHS	SRYFC
Youth in Program 6/73	222	89	127	31
New Cases	53	60	91	21
Reinstated	80	29	34	30
Total Received	133	89	125	51
Revoked	32	15	41	13
Discharged	47	34	53	32
Replaced	67	8	14	5
Total Released	146	60	108	50
Youth in Program 7/74	208	118	144	32
Return Ratio	9.3	8.4	16.3	15.9

*Montana Children's Center, now closed.

SECTION E: HIGH CRIME INCIDENCE/ LAW ENFORCEMENT ACTIVITY AREAS

High Crime Incidence/ Law Enforcement Activity Areas

Three major city-county areas in the state have been selected for consideration as high crime incidence/law enforcement activity areas. These are Cascade County and the city of Great Falls, Missoula County and the city of Missoula, and Yellowstone County and the city of Billings. The combined population of these counties is 227,434 or 32.7 percent of the state's population. Illustration E-1 shows the location of these selected areas.

In 1972, these 3 areas accounted for 36.90 percent of all felony arrests in the state. In 1973, this figure was 34.28 percent and for 1974 it was 34.28 percent. These figures are based on data collected by the Board of Crime Control from law enforcement agencies throughout the state.

Table E-1
Metropolitan Area Felony Arrests

	1972		1973		1974	
	No. of Arrests	% of State Total	No. of Arrests	% of State Total	No. of Arrests	% of State Total
Cascade-Great Falls	446	8.76	550	10.26	566	9.10
Missoula-Missoula	632	12.42	564	10.52	739	11.88
Yellowstone-Billings	800	15.72	724	13.50	827	13.29
AREA TOTAL	1,878	36.90	1,838	34.28	2132	34.26
STATE TOTAL	5,088	100.00	5,361	100.00	6223	100.00

For the year 1972 the Uniform Crime Report, published by the FBI, shows that in these 3 areas, 6,808 offenses were reported as compared to 13,853 for the entire state.

Illustration E-1
High Crime Law/Enforcement Activity
City and County

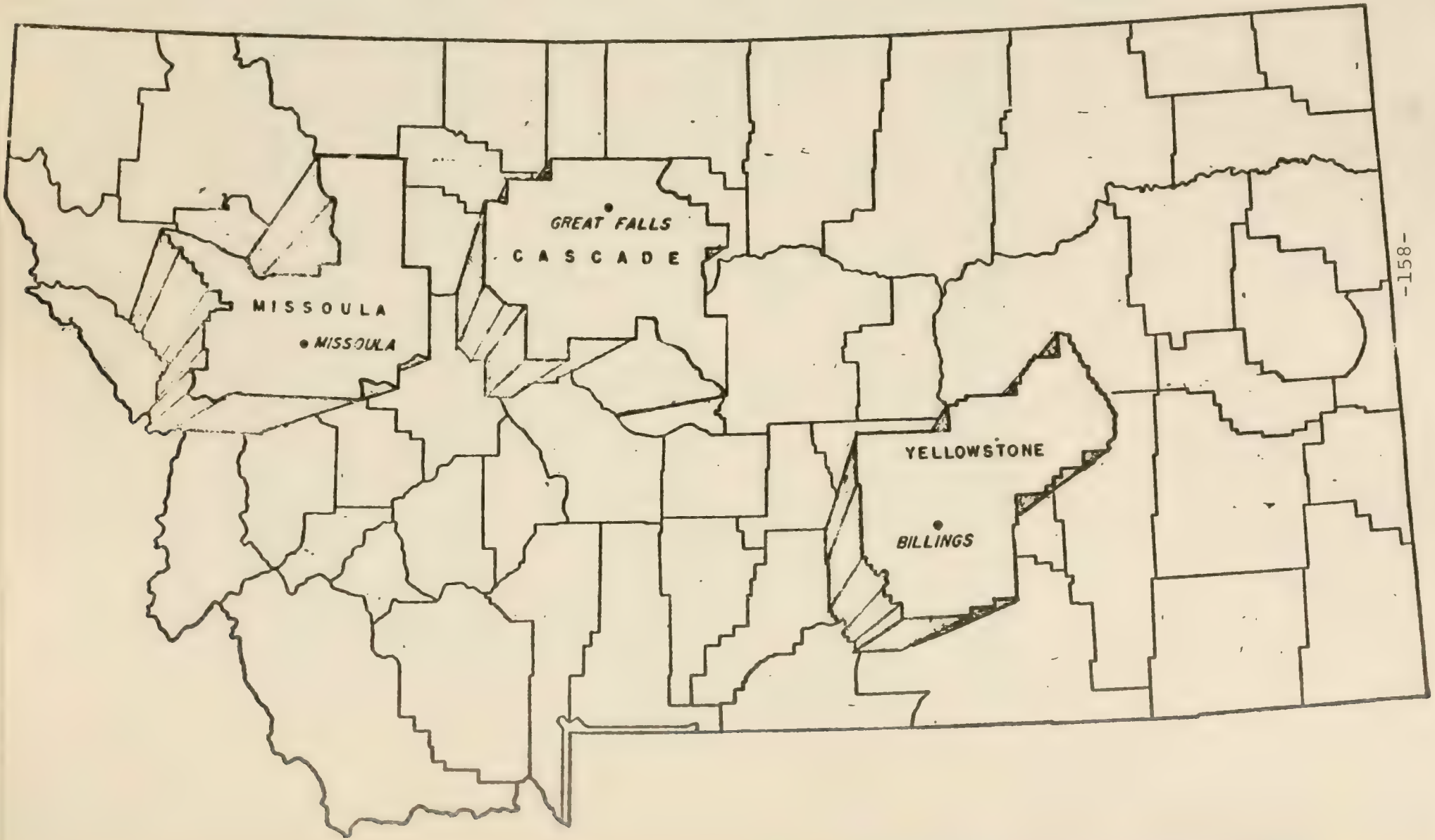


Table E-2
Offenses Known to the Police - 1974

	Homicide	Rape	Robbery	Ag. Assault	Burglary	Theft	Motor Vehicle Theft	Total Offenses	Rate*
Cascade	3	0	7	34	112	227	63	446	2,133.0
Great Falls	1	10	67	112	1071	3690	368	5319	8,246.5
Missoula	1	3	10	48	244	640	74	1020	3,337.8
Missoula	1	7	17	97	382	2112	192	2808	8,804.7
Yellowstone	1	7	9	24	237	516	42	836	3,707.6
Billings	0	18	62	75	966	3928	311	5360	7,976.2
Laurel	0	0	0	0	60	173	8	241	5,429.2

* Rate per 100,000 population

Table E-3
Law Enforcement Manpower
In High Crime Incidence Areas

	Sheriff Dept.	Police Dept.	1974 Pop. Est.	Ratio of Law Enf. to Population
Missoula S.O.	39		30,559	1.28
Missoula		51	31,892	1.60
Cascade S.O.	22		20,901	1.05
Great Falls		66	64,500	1.02
Yellowstone S.O.	36		22,548	1.60
Billings		99	67,200	1.47
Laurel		5	4,439	1.13
TOTALS	97	221	242,039	1.31

Demographic Profile

Although Montana is the fourth largest state in the union, it ranks 41st in population. The three counties and their principal cities chosen for this section of the plan are those with the largest populations. The growth rate of these areas over the last 20 years far exceeds the overall growth rate of the state.

Table E-4
Comparative Population Growth 1950-1970

	1970	% of State Pop.	1960	% of State Pop.	1950	% of State Pop.	% Change 1950-1970
Cascade	81,804	11.78	73,418	10.86	53.027	8.97	+54.3
Missoula	58,263	8.39	44,663	6.62	35,493	6.01	+64.2
Yellowstone	87,367	12.58	79,016	11.7	55,875	9.45	+56.4
TOTAL	227,434	32.75	197,097	29.2	144,375	24.43	+57.5
Montana	694,345	100.0	674,720		590,966		+17.4

In all three counties the population is concentrated in the principal city or in the immediate areas surrounding the city boundaries. The percentage of farm residents is shrinking in the three counties as it is statewide. The rural non-farm population in these counties also is shrinking - and at a rate faster than the statewide norm.

Table E-5
Population Distribution

AREA	URBAN 1960	URBAN 1970	RURAL FARM 1960	RURAL FARM 1970	RURAL NON-FARM 1960	RURAL NON-FARM 1970
Missoula						
Population	30,907	43,531	563	1,060	12,192	13,766
Percent	69.2	74.7	3.5	1.6	27.3	23.7
Cascade						
Population	57,629	70,905	4,386	3,450	12,334	7,491
Percent	78.5	86.7	4.7	4.1	16.8	8.1
Yellowstone						
Population	65,346	71,197	4,741	4,108	8,929	7,516
Percent	82.7	86.9	6.0	4.7	11.3	8.6
State						
Population	338,457	370,676	105,989	88,084	230,770	232,127
Percent	50.2	53.4	15.6	12.8	34.2	33.5

As might be expected from the comparative population figures for these areas, the density per square mile is considerably higher than for the state as a whole.

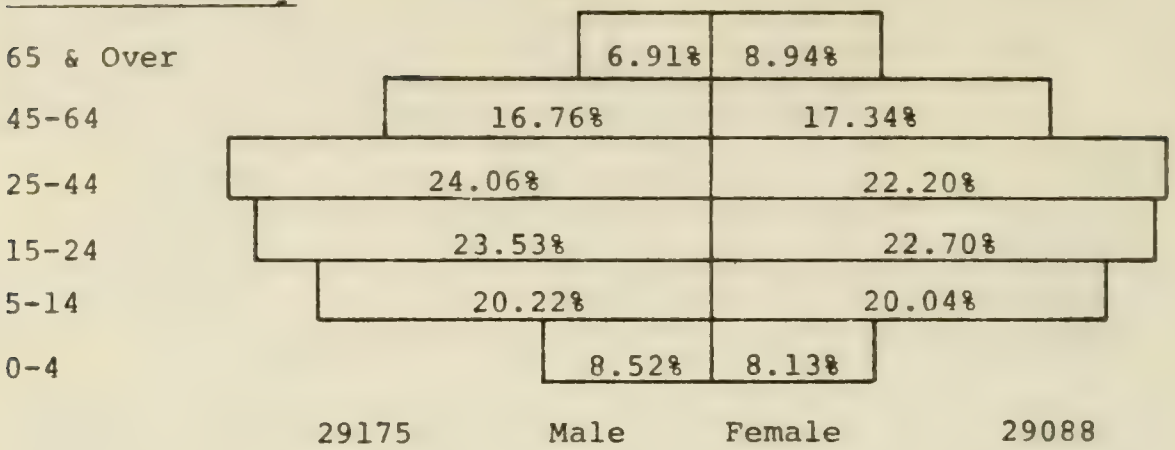
TABLE E-6
Relative Population Density
1970 Est.

Area	Square Miles	Density
Missoula	2,612	22.3
Cascade	2,661	30.7
Yellowstone	2,642	32.8
State	145,587	4.8

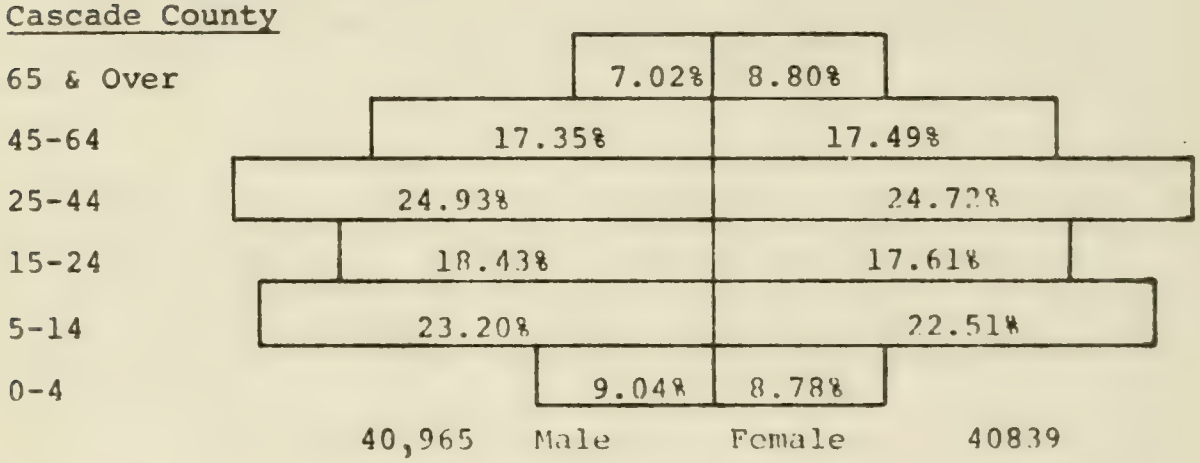
As far as age and sex of residents is concerned, the 3 counties are quite similar to each other as well as to state norms. More women past the age of 44 than men live in Missoula and Cascade Counties. In each area the age bracket between 25-44 is the largest segment of the population, nearly one-fourth of the total.

Illustration E-2
Major Counties Age Distribution
1970

Missoula County



Cascade County



Yellowstone County

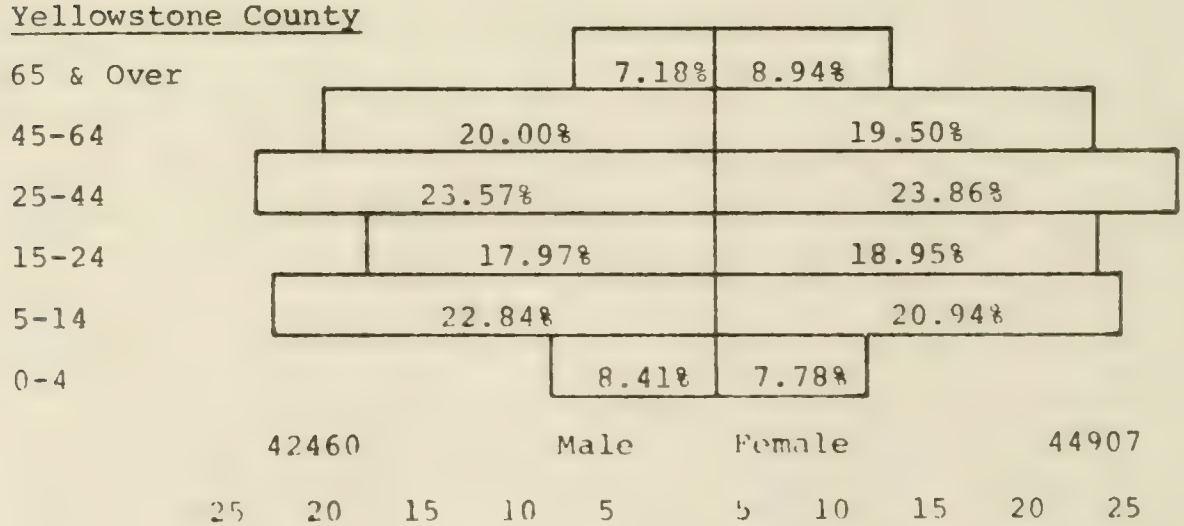
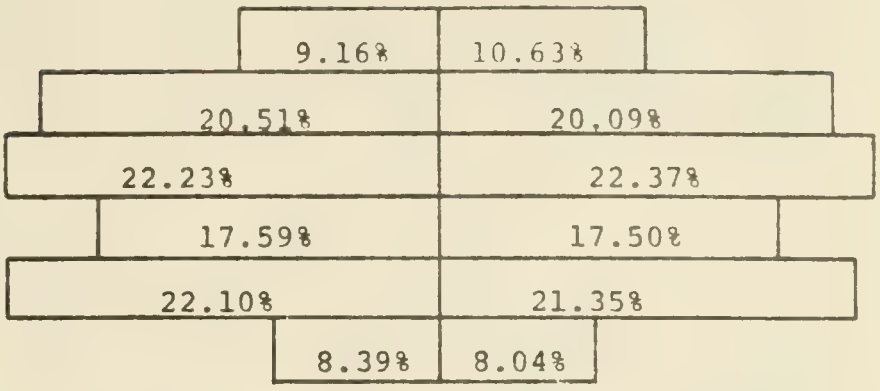


Illustration E-2 (cont'd)
Major Counties Age Distribution

State



347,005 Male Female 347,404

Montana

MINORITY POPULATION

Indians are Montana's principal minority group. There are 7 Indian reservations in the state and 60 to 70 percent of the Indians live on the reservation or in the immediate vicinity. A smaller percentage is scattered throughout the state. Of the 7 reservations, only the Crow Reservation takes up part of one of the 3 counties discussed in this section. Of the 3 areas, Cascade County currently contains the largest Indian population.

Table E-7
Indian Population Distribution

AREA	Number		% of Co. Pop.		% of State Pop.	
	1960	1970	1960	1970	1960	1970
Missoula	376	660	.8	.6	1.7	2.4
Cascade	748	1509	1.0	1.8	3.5	5.5
Yellowstone	410	1063	.5	1.2	1.9	3.9
State	21,181	27,130	3.1	3.9	-	-

LABOR FORCE

Table E-8
Civilian Labor Force by Sex
1970 Est.

AREA	Civilian Labr. Force		Male Labor Force		Female Labor Force		% Unemployed		
	No.	%Pop.	No.	%Pop.	No.	%Pop.	Total	Male	Female
Missoula	23104	39.6	14513	71.7	8591	42.2	7.5	7.2	8.2
Cascade	28101	34.3	17160	63.9	10941	39.9	6.5	5.4	8.2
Yellowstone	24996	40.0	11864	77.7	13132	42.2	5.8	5.1	7.0
State	260,649	37.5	169,071	72.4	91578	38.5	6.1	5.7	6.8

In comparing industry and occupational groups, some variance is noted between the major areas and the state totals. The 3 major counties have higher percentages of males in manufacturing, educational services, and construction. However, the number of women in similar occupations is generally lower. The exceptions are women in educational services in Missoula County and in retail trades in Yellowstone County.

Table E-9
Percent Employed Civilian Labor Force
By Industry Groups
1970 Est.

LABOR FORCE	Missoula M	Missoula F	Cascade M	Cascade F	Yellowstone M	Yellowstone F	State M	State F
Agriculture, Forestry Fisneries	6.0	3.1	6.6	.8	6.0	.8	17.6	3.3
Manufacturing	16.0	3.0	16.8	2.9	11.2	3.3	12.4	3.0
Mining	1.4	0.0	.3	0.0	.8	.5	3.4	.2
Construction	8.3	.9	9.5	.9	9.6	1.0	8.8	.8
Educational Services	11.7	20.7	4.3	13.3	5.0	14.5	6.1	16.1
Public Administration	4.0	2.3	8.7	4.5	5.3	2.6	5.7	5.4
Retail Trade	15.0	21.7	10.8	32.5	1.7	25.2	13.9	23.7
All Others	31.5	40.0	37.1	36.4	37.8	44.2	26.4	40.7

Although there are one or two exceptions, notably in the farming area, there is a higher percentage of people employed in business and professional areas in these 3 counties than in the state as a whole. This, in a state that is predominantly rural, is not unexpected.

Table E-10
Percent Employed Civilian Labor Force
By Selected Occupational Groups
1970 Est.

Occupational Groups	Missoula M	Missoula F	Cascade M	Cascade F	Yellowstone M	Yellowstone F	State M	State F
Professional Technical & Kindred	16.8	19.3	12.5	16.3	11.9	16.1	11.5	16.4
Farms & Farm Managers	.9	0.0	3.7	.1	3.4	.1	10.5	.9
Farm Laborers & Foreman	.7	.3	2.0	.1	1.6	.2	4.8	1.3
Clerical & Sales Workers	12.5	36.9	14.6	41.2	16.1	41.6	9.7	35.8
Mgrs., Officers & Proprietors (Excluding Farm)	12.0	4.0	13.2	4.5	15.3	5.0	11.7	5.1
Craftsmen, Foreman & Kindred	18.9	.7	19.8	1.1	18.4	1.0	13.4	.8
All Others	30.6	30.3	28.5	28.0	28.0	28.6	25.9	31.1

Table E-11
Per Capita, Medium Incomes 1960-1970
And Percent $3000 & $10,000

	Per Capita Income		Median Family Income		% Co. Pop. Family Income 3000 Ann.		% Co. Pop. Family Income 10,000 Ann.	
Area	1960	1970	1960	1970	1960	1970	1960	1970
Missoula	1818	2999	5169	9066	16.4	9.5	12.5	42.6
Cascade	1933	2864	6032	8955	14.2	8.2	14.0	42.3
Yellowstone	1945	2855	6150	8966	13.5	9.0	15.7	42.0
State	1661	2712	4936	8512	20.2	10.5	11.5	27.9

With relatively high incomes, it is not surprising that home ownership is high in all three areas. Also, people in the selected areas seem to be following the state trend of having smaller families.

Table E-12
Households - Percent Owned and Rented-1970 Est.

AREA	No. of House-holds	No. of Housing Units	% Owned By Occu-pants	% Rented By Occu-pants	Average No. of Persons Per Household 1950	1960	1970
Missoula	18,012	18,891	60.1	35.2	3.18	3.17	3.06
Cascade	25,272	27,190	52.9	39.9	3.14	3.20	3.14
Yellowstone	27,641	29,169	60.2	34.5	3.24	3.27	3.09
State	217,304	246,603	57.9	30.2	3.22	3.25	3.10

The average educational attainment in the three areas showshigher percentages having completed 12 or more years of school than in the state as a whole. Over the past 30 years, the educational level in these areas has increased faster than elsewhere in the state.

Table E-13
Educational Attainment by County-Population
of Age 25 or Over
1970 Est.

AREAS	% Completing 5 years of School		% Completing 8 years of School		% Completing 12 years of School	
	M	F	M	F	M	F
Missoula	2.3	1.4	20.5	15.3	65.5	71.4
Cascade	2.6	1.6	22.6	7.6	64.0	66.5
Yellowstone	3.3	3.6	25.3	19.7	61.8	66.6
State	3.2	2.3	29.4	21.0	55.6	62.7

Table E-14
Recent Trends in Educational Attainments
Age 25 and Over

AREAS	% of Population Completing 5 yrs school				% of Population Completing 12 years school			
	1940	1950	1960	1970	1940	1950	1960	1970
Missoula	6.2	5.2	3.8	1.8	36.3	47.6	54.0	68.5
Cascade	7.1	5.3	3.2	2.1	33.5	44.7	53.7	65.3
Yellowstone	7.3	6.0	3.6	2.9	36.4	46.5	55.5	64.3
State	7.4	6.3	4.1	2.7	29.0	38.9	47.8	50.2

Law Enforcement Activity in Major Counties

This exposition has the appearance of county-wide coverage but is limited primarily to the two major police agencies within each county--the sheriff's office and the police of the major city. Mention is also made of other components of the criminal justice system within the county.

CASCADE COUNTY

Sheriff Office

The Cascade County Sheriff's Office employs 22 sworn officers and 11 non-sworn personnel. It has 11 automobiles, used for patrol and administrative activities, two pick-ups, three 4-wheel drive vehicles, and an 8-passenger van.

The Sheriff has the formal duties as outlined in Section B of Existing Systems on page 50. These duties occupy the following percentages of time: patrol, 35 percent; traffic, 5 percent; investigation, 40 percent; administration, 15 percent; other, 5 percent.

A major task of the Cascade Sheriff has been establishing a canine training center; operated by deputies as a regular part of operations. Training is available to all law enforcement personnel in Montana, surrounding states, and Canada. In addition to training its own officers at the canine center, the department has a formal in-service training program for its deputies covering law enforcement duties and responsibilities.

The Cascade County jail was originally constructed in 1914 and has undergone extensive remodeling. The jail presently contains a one unit hospital, 14 two-men cells; 2 two-women cells, 2 three-capacity cells (one for women, the other for juveniles) and one 24-bed dormitory. The jail has 62 permanent beds including 35 for adult males, 7 for adult females and 25 for juveniles. Average daily population is 29 men, 1 woman, 4 juvenile males, and 1 juvenile female. The budget for the jail including care of prisoners, maintenance, and capital outlay exceeds $142,640.00 annually.

Great Falls Police

The Great Falls Police Department is composed of the Chief of Police, Assistant Chief of Police, 2 captains, 3 lieutenants, 7 sergeants, 49 patrolmen, 3 meter maids, and 12 non-sworn personnel. It has 22 automobiles available for patrol and administrative activities, 2 three-wheel motorcycles, and 2 solo motorcycles.

The police department's formal duties are performed in the following ratio of available time: patrol, 40 percent; traffic, 40 percent; investigation, 10 percent; administration, 10 percent.

The department has a full-time training officer who is responsible for an extensive in-service training program. Training within the department includes recruit training, traffic investigations, criminal investigation, and community relations.

Support Personnel

The two local law enforcement agencies have the support of one highway patrolman who can be called in for roadblocks and other activities, adding support to law enforcement county-wide. Four fish and game wardens (captain, sergeant, and two wardens) also assist in county-wide law enforcement.

County Attorney

The Cascade County Attorney is full-time and does not engage in private practice. He has 5 deputies and 3 secretaries. The county attorney and one deputy are assigned specifically to criminal cases. The criminal caseload for 1974 was as follows: drug charges filed - 97; drug convictions - 28; drug acquittals - 0; drug dismissals - 45; other felony charges filed - 408; other felony convictions - 113; other felony acquittals - 1; other felony dismissals - 38.

Public Defender

There is a public defender program in Cascade County, with 5 public defenders who receive approximately $625 per month. An additional pool of 5 or 6 attorneys is available on a need basis. These defenders are paid $15 an hour for court work and $10 an hour for office time. Further, they have instituted a central secretary who will coordinate the defender's work, hours, and caseloads. The secretary is an administrative official and has no say in the cases although he does handle cases of his own. He will be paid a salary of $1250.

District Court

Cascade County is in the 8th judicial district, which has 3 district court judges. The court also has under its jurisdiction a chief juvenile probation officer and 3 deputies.

MISSOULA COUNTY

Sheriff's Office

The Missoula County Sheriff's Office employs 39 sworn officers, and 11 non-sworn personnel. It has 11 automobiles for patrol and administrative activities, 1 Jeep pickup, 1 van, and a van for the animal warden.

Daily activities are divided in the following ratio among the departmental responsibilities: patrol, 60 percent; traffic, 15 percent; investigation, 20 percent; administration, 5 percent.

One of the major responsibilities undertaken by the Missoula sheriff's office is a region-wide drug team. This team is composed of 12 officers from various cities and counties throughout Region I. The drug team has been very effective over the past 3 years in that drug arrests in Region I have increased dramatically and millions of dollars worth of drugs have been confiscated by team members.

The Missoula County jail was constructed in 1964. It presently contains 10 four-man cells, an 8-bed women's dormitory, and an 8-bed juvenile dormitory. The jail has 60 permanent beds including 40 for adult males, 10 for adult females, and 10 for juveniles. The average daily population for adult males is 30.

Missoula Police Department

The Missoula Police Department is composed of the Chief of Police, Assistant Chief of Police, 4 captains, 5 lieutenants, 12 sergeants, and 28 patrolmen. The Department has 12 non-sworn personnel. Ten automobiles, one van and 4 three-wheel cycles are available for patrol and administrative activities.

Patrol and traffic duties constitute 50 percent of all departmental activities. Other routine duties are: investigation, 14 percent; administration, 7 percent; and handling drunk and disturbance calls, 29 percent.

The department has a full-time training officer who is responsible for in-service training in all elements of basic law enforcement. The Missoula Police Protective Association has a building leased from the city which is used as a training academy, as well as the office for the Association and other activities of the Association.

The city jail was constructed in 1969, and contains 9 one-man cells. Seven of the cells are intended for adult males and 2 for adult females. Average daily population is estimated at 5 men and 0.25 women.

Support Personnel

Eight highway patrolmen are in the Missoula County area to support local law enforcement. A fish and game captain, sergeant, and two wardens also provide valuable assistance in county-wide law enforcement activities primarily in off-highway locations.

County Attorney

The Missoula County Attorney has 6 deputies and 2 secretaries. The county attorney and at least 3 deputies are full-time and do not engage in private practice. One deputy is assigned specifically to work on drug cases in conjunction with the sheriff's drug team. Two deputy county attorneys are assigned specifically to criminal cases.

The criminal caseload of the county attorney's office is as follows:

Drugs

Charges filed	76
Convictions	61
Acquittals	0
Dismissals	22

Other felonies

Charges filed	222
Convictions	103
Acquittals	2
Dismissals	158

SECTION F: ANALYSIS OF FUNDING

Public Defender

The Missoula County Commissioners have contracted with one law firm to provide counsel for indigent criminal defendants. There are 4 members of the firm. The 1975 contract is in the amount of $25,000.

District Court

Missoula County is in the 4th judicial district and has 3 district court judges. The court also has under its jurisdiction a chief juvenile probation officer and 4 deputies.

Division of Aftercare

The Division of Aftercare, Department of Institutions has two counselors in the Missoula area.

YELLOWSTONE COUNTY

Sheriff's Office

The Yellowstone County Sheriff's Office employs 35 sworn and 20 non-sworn personnel. It has 13 automobiles.

Daily responsibilities include: patrol, 30 percent; investigation, 32 percent; administration, 22 percent; traffic, 1 percent; other, 15%.

The Yellowstone County Sheriff and the Billings Police Department are in the process of consolidation in order to improve police services throughout the county. Initially, the effort will be devoted to a major felony investigation team composed of a police captain, police lieutenant, sheriff's lieutenant, and 5 detectives from each department. The felony team will become involved in all major felony investigations throughout Yellowstone County. It is the intent of the team to increase clearance rates of crimes investigated.

In addition to the felony team, the records section of the Yellowstone Sheriff's office and the Billings Police Department are being consolidated and computerized. The initial efforts to develop an automated information system have been directed at creating files for fingerprints, mug shots, and M.O. The conceptual design and a 5-year plan have been completed. Activities planned for later are the development of a property file, want/warrant file, master name index, street address/location file, and a personal history file.

Further consolidation will be aimed at communications and facilities. Consolidation of services is being accomplished by a discretionary grant from LEAA.

The Yellowstone County Sheriff's Department has a full-time training officer who is responsible for training all new personnel and implementing a continuing in-service training program.

The county jail was constructed in 1967. It has 5 one-man cells, 16 two-man cells, 1 four-man cell, and 1 dormitory. Juvenile females are held in 8 two-bed cells. Six two-bed cells are available for boys. Adult females are incarcerated in 2 six-bed cells.

The jail maintains 60 permanent beds: 27 for adult males and 4 for trustees. Six beds are routinely set aside for adult females and 22 for juveniles.

Billings Police Department

The Billings Police Department is composed of the chief of police, assistant chief of police, 4 captains, 7 lieutenants, 5 sergeants, 35 specialists, 46 patrolmen, and 16 non-sworn personnel. In addition, there are 7 detectives in the juvenile division. The department operates 20 automobiles, 6 motorcycles, and 4 scooters.

Primary duties of the department are summarized as follows: patrol, 30 percent; traffic, 20 percent; investigation, 40 percent; administration, 10 percent. The department has a full-time training officer responsible for an extensive in-service training program including basic law, police, juvenile, and patrol procedures, traffic control, and criminal and other investigations.

The jail used by the Billings Police is old but in fair condition. It contains 3 eight-bed dorms and 1 six-bed drunk tank. There are 30 permanent beds in the jail, all for adult males.

Support Personnel

The 2 local law enforcement agencies have the support of 11 highway patrolmen who assist in roadblocks and other support activities. A fish and game warden captain, a sergeant, and two wardens also assist in county-wide law enforcement, primarily in rural county areas.

County Attorney

The Yellowstone County Attorney has 6 deputies and 3 clerical employees. The county Attorney and at least 3 deputies are full-time and do not engage in private practice. The county attorney and 1 deputy handle all criminal cases. A para-legal worker has been hired to work with the Yellowstone/Billings felony team as direct liaison between the county/attorney's office and law enforcement in all criminal cases. A special project funded by the Montana Board of Crime Control, in deferred prosectuion commenced operation in September, 1975. The project provides criteria for screening and diversion and standardized diversion procedures.

The 1974 criminal caseload is as follows:

Drugs

Charges filed	101
Convictions	348
Acquittals	6
Dismissals	143

Other Felonies

Charges filed	1,796
Convictions	769
Acquittals	18
Dismissals	402

Public Defender

There are 2 public defenders in Billings, each salaried at $800/month. One other defender is assigned to juvenile matters, with a salary of $500/month. The court also assigns other attorneys to defend indigents. Assignments are made on a rotating basis from a list of interested lawyers in the Billings area.

District Court

Yellowstone County is in the 13th judicial district, with 3 district court judges. The court also has under its jurisdiction a chief juvenile probation officer and 5 deputies. Also working under the probation office is an Action Volunteer who has the responsibility for implementing a volunteer program for youths coming into contact with the court. Other supportive services to the juvenile court are provided by work-study students from Eastern Montana College.

Table E-15
YELLOWSTONE COUNTY

Part C & E Funding - High Crime - By Category

	1975	1974	1973	TOTAL
Manpower		22,862.16	9,282.15	32,144.31
Training	603.10	1,449.50	1,730.59	3,783.19
Education	3,163.50	2,857.74		6,020.79
Equipment			1,154.22	1,154.22
Facilities		8,573.33		8,573.33
Workloads				
Operating Stds.				
Services				
Info. Systems		4,018.61	2,884.20	6,902.81
TOTAL				58,578.65

BILLINGS

Part C & E Funding - High Crime - By Category

	1975	1974	1973	TOTAL
Manpower				
Training		243.00	2,326.43	2,569.43
Education				
Equipment			1,487.85	1,487.85
Facilities				
Workloads				
Operating Stds.	69,797.33		82,306.06	152,103.39
Services		2,160.00		2,160.00
Info. Systems		86,070.60	2,443.05	88,513.65
TOTAL				246,834.32

LAUREL

Part C & E Funding - High Crime - By Category

	1975	1974	1973	TOTAL
Manpower				
Training				
Education				
Equipment			958.05	958.05
Facilities				
Workloads				
Operating Stds.				
Services				
Info. Systems		925.62	1,447.26	2,372.88
TOTAL				3,330.93

Table E-16
HIGH CRIME INCIDENCE
PROGRAM ANALYSIS

Billings

B-4	In and Out-of-State Training	$ 2,569.43
D-1	Equipment	1,487.85
G-1	Consolidation/Special Impact	82,306.06
G-2	Target Crime	69,797.33
H-1	Community Awareness	2,160.00
I-2	Communications	5,715.45
I-4	Police Information Systems	82,798.20
		246,834.32

Yellowstone

A-3	Juvenile Probation Manpower	$15,092.98
A-10	Deferred Prosecution	17,051.33
B-4	Training	3,193.03
B-5	Probation/Parole Training	422.10
B-7	Juvenile Corrections Training	168.06
C-1	Law School Intern	6,020.79
D-1	Equipment	1,154.22
E-3	Court Facility Improvement	8,573.33
I-2	Communications	6,902.81
		$58,578.65

Laurel

D-1	Equipment	$ 958.05
I-2	Communications	2,372.88
		$ 3,330.93

Cascade

A-2	Post Graduate Employment	$14,225.33
A-3	Juvenile Probation	18,715.53
B-4	Training	5,170.89
B-9	County Attorney Training	806.25
C-1	Law Student Intern	7,584.30
D-1	Equipment	7,731.62
E-3	Court Facility	13,612.50
I-2	Communications	26,856.38
		$94,702.80

Great Falls

B-4	Training	$ 7,760.58
D-1	Equipment	31,458.34
E-3	Court Improvement	2,069.00
G-1	Consolidation	2,842.10
I-2	Communications	86,361.30
		$130,491.32

SECTION F: ANALYSIS OF FUNDING

TABLE F-1
CITY-COUNTY GRANTS

COUNTY	REGION	PART C & E AWARDS	DISCRET.	POPULATION	PER CAPITA	CRIME INDEX	INDEX CHANGE FROM 1973
Beaverhead	2	38685.49		8147	4.75	3387.8	+
Big Horn	4	16085.44		7292	2.21	741.6	-
Blaine	3	19834.54		6939	2.86	922.3	-
Broadwater	2	18636.05		2755	6.76	2540.8	+
Carbon	4	19845.72		7959	2.49	2538.0	+
Carter	5	6336.21		1837	3.45	108.9	+
Cascade	3	533877.45	119791.89	85410	7.65	6749.8	+
Chouteau	3	31101.55		6627	4.69	1690.1	+
Custer	5	89037.88		11531	7.72	3451.6	+
Daniels	5	10902.84		3163	3.45	663.9	-
Dawson	5	30164.69		11123	2.71	3074.7	-
Deer Lodge	2	83766.60	50000.00	16123	8.30	1829.7	+
Fallon	5	12175.08		3878	3.14	2398.1	+
Fergus	4	38882.84		12960	3.00	2152.8	+
Flathead	1	303612.41		41430	7.33	3898.1	+
Gallatin	2	145623.02		36532	3.99	3670.8	+
Garfield	5	8689.15		1837	4.73	816.5	+
Glacier	3	27602.19		4286	6.44	2428.6	-
Golden Valley	4	4399.71		1020	4.31	0.0	0
Granite	2	13640.82		2653	5.14	1847.0	+
Hill	3	86086.63		17960	4.79	3468.8	+
Jefferson	2	20124.94		6837	2.94	804.4	+
Judith Basin	4	6264.10		2722	2.30	1543.0	+
Lake	1	83969.98		13047	6.44	2236.3	+
Lewis & Clark	2	446924.33	58923.49	36225	13.97	4828.2	+
Liberty	3	41935.90		2551	16.04	1332.8	+
Lincoln	1	66733.40		18062	3.69	5453.4	+
Madison	2	31922.83		5714	5.59	1190.1	?
McCone	5	4757.17		2857	1.67	0.0	0
Meagher	2	10661.55		2245	4.75	890.9	+
Mineral	1	24532.53		3367	7.29	2910.6	+
Missoula	1	463049.79		62451	7.41	6129.6	+
Musselshell	4	15613.97		4184	3.73	1338.4	+
Park	2	66825.44		12041	5.55	3687.4	+
Petroleum	4	4195.20		612	6.85	1143.8	+
Phillips	5	20944.90		5306	3.95	1168.5	+
Pondera	3	53680.27		7347	7.30	598.9	+
Powder River	5	6177.78		2143	2.88	280.0	+
Powell	2	26438.14		6939	3.81	3026.4	+
Prairie	5	4217.55		2041	2.07	1420.9	-
Ravalli	1	110671.06		17245	6.42	2093.4	+
Richland	5	35227.39		9898	3.56	1050.7	-
Roosevelt	5	46574.66		10204	4.56	1460.2	-
Rosebud	5	59738.69		4171	14.32	2969.6	+
Sanders	1	40353.59		7600	5.31	2969.6	+
Sheridan	5	64015.76		5612	11.41	409.8	+
Silver Bow	2	158187.97	44500.00	43062	4.71	3385.8	-
Stillwater	4	8863.49		4898	1.81	959.6	+
Sweet Grass	4	20456.26		3061	6.68	3266.9	-
Teton	3	18229.53		6735	2.71	564.2	-
Toole	3	201310.39		5815	34.62	1926.1	-
Treasure	5	24826.60		1122	22.13	713.0	+
Valley	5	58494.14		13572	4.31	567.3	-
Wheatland	4	8811.29		2551	3.45	940.8	+
Wibaux	5	6392.22		1429	4.47	279.9	+
Yellowstone	4	484950.08	404361.67	94187	9.94	6834.3	+

The following is a short analysis of the funding patterns of the Board of Crime Control for LEAA monies. The study includes part C and E funds as well as discretionary monies.

Table F-1 shows all monies received by each county and is broken down to the per capita rate. A correlation was run using per capita rate versus crime index. The result .0605 indicates that there are scant relationships between the two variables.

Table F-2 is a breakout of the monies received by the Indian agencies in the state. No crime index was computed.

The distribution in Table F-3 indicates that for the most part monies are going in good proportion to population configuration, although Region V has been shorted somewhat. However, it also has the lowest index rate.

In Table F-4 the Indian agencies have been included for purposes of ranking, as they have in Table F-5 . In both tables the Indian agencies have ranked relatively high, especially in Table F-5 . All 7 reservations are included in the top 10.

Table F-6 reflects the monies granted to state agencies and miscellaneous organizations and schools.

TABLE F-2
INDIAN GRANTS

	PART C & E AWARDS	DISCRETIONARY	POPULATION	PER CAPITA
Crow	15784.07	130699.00	4035	36.39
Fort Belknap		250472.00	1670	149.98
Blackfeet	12363.03	308049.12	6214	51.72
Rocky Boy		64261.49	1244	51.66
Salish Kooteni	11719.53	41831.00	2872	18.65
Fort Peck		145692.16	3993	36.49
Northern Cheyenne	2785.00	36472.56	2564	15.36
Inter Tribal Council		227313.95		

TABLE F-3
GRANTS BY REGION

Lewis & Clark	505,847.72
Silver Bow	202,687.97
Gallatin	145,623.02
Deer Lodge	133,766.60
Park	66,825.44
Beaverhead	38,685.49
Madison	31,922.83
Powell	26,438.14
Jefferson	20,124.94
Broadwater	18,636.05
Granite	13,640.82
Meagher	10,661.55
	1,214,860.57
	24.48%

Cascade	653,669.34
Toole	201,310.39
Hill	86,086.63
Pondera	53,680.27
Liberty	41,935.90
Chouteau	31,101.55
Glacier	27,602.19
Blaine	19,834.54
Teton	18,229.53
	1,133,450.34
	22.84%

Missoula	463,049.79
Flathead	303,612.44
Ravalli	110,671.06
Lake	83,969.98
Lincoln	66,733.40
Sanders	40,353.59
Mineral	24,532.53
	1,092.922.79
	22.02%

Yellowstone	889,311.75
Fergus	38,882.84
Sweet Grass	20,456.26
Carbon	19,845.72
Big Horn	16,085.44
Musselshell	15,613.97
Stillwater	8,863.49
Wheatland	8,811.29
Judith Basin	6,264.10
Golden Valley	4,399.71
Petroleum	4,195.20
	1,032,729.77
	20.81%

Custer	89,037.88
Sheridan	64,015.76
Rosebud	59,738.69
Valley	58,494.14
Roosevelt	46,574.66
Richland	35,227.39
Dawson	30,164.69
Treasure	24,826.60
Phillips	20,944.90
Fallon	12,175.08
Daniels	10,902.84
Garfield	8,689.15
Wibaux	6,392.22
Carter	6,336.11
Powder River	6,177.78
McCone	4,757.17
Prairie	4,217.35
	488,672.41
	9.85%

	POPULATION	%	% $	INDEX
I	166,074	22.60	22.02	4,476.3
II	179,273	24.39	24.48	3,366.4
III	149,884	20.39	22.84	4,701.6
IV	145,481	19.79	20.81	5,002.7
V	94,288	12.83	9.85	1,625.9

TABLE F-4
RANK BY DOLLARS RECEIVED

1.	Yellowstone	889,311.75	33.	Madison	31,922.83
2.	Cascade	653,669.34	34.	Chouteau	31,101.55
3.	Lewis & Clark	505,847.72	35.	Dawson	30,164.69
4.	Missoula	463,049.79	36.	Glacier	27,602.19
5.	Blackfeet	321,412.15	37.	Powell	26,438.14
6.	Flathead	303,612.44	38.	Treasure	24,826.60
7.	Fort Belknap	250,472.00	39.	Mineral	24,532.53
8.	Silver Bow	202,687.97	40.	Phillips	20,944.90
9.	Toole	201,310.39	41.	Sweet Grass	20,456.26
10.	Crow	146,483.07	42.	Jefferson	20,124.94
11.	Fort Peck	145,692.16	43.	Carbon	19,845.72
12.	Gallatin	145,623.02	44.	Blaine	19,834.54
13.	Deer Lodge	133,766.60	45.	Broadwater	18,636.05
14.	Ravalli	110,671.06	46.	Teton	18,229.53
15.	Custer	89,037.88	47.	Big Horn	16,085.44
16.	Hill	86,086.63	48.	Musselshell	15,613.97
17.	Lake	83,969.98	49.	Granite	13,640.82
18.	Park	66,825.44	50.	Fallon	12,175.08
19.	Lincoln	66,733.44	51.	Daniels	10,902.84
20.	Rocky Boy	64,261.49	52.	Meagher	10,661.55
21.	Sheridan	64,015.76	53.	Stillwater	8,863.49
22.	Rosebud	59,738.69	54.	Wheatland	8,811.29
23.	Valley	58,494.14	55.	Garfield	8,689.15
24.	Pondera	53,680.27	56.	Wibaux	6,392.22
25.	Salish Kootenai	53,550.53	57.	Carter	6,336.11
26.	Roosevelt	46,574.66	58.	Judith Basin	6,264.10
27.	Liberty	41,935.90	59.	Powder River	6,177.78
28.	Sanders	40,353.59	60.	McCone	4,757.17
29.	Northern Cheyenne	39,257.56	61.	Golden Valley	4,399.71
30.	Fergus	38,882.84	62.	Prairie	4,217.35
31.	Beaverhead	38,685.49	63.	Petroleum	4,195.20
32.	Richland	35,227.39			6,211,079.79

TABLE F-5
RANK BY PER CAPITA DOLLARS RECEIVED

1.	Fort Belknap	149.98	34.	Beaverhead	4.75
2.	Blackfeet	51.72	35.	Garfield	4.73
3.	Rocky Boy	51.66	36.	Silver Bow	4.71
4.	Fort Peck	36.49	37.	Chouteau	4.69
5.	Crow	36.39	38.	Roosevelt	4.56
6.	Toole	34.62	39.	Wibaux	4.47
7.	Treasure	22.13	40.	Valley	4.31
8.	Salish-Kootenai	18.65	41.	Golden Valley	4.31
9.	Liberty	16.04	42.	Gallatin	3.99
10.	Northern Cheyenne	15.36	43.	Phillips	3.95
11.	Rosebud	14.32	44.	Powell	3.81
12.	Lewis & Clark	13.97	45.	Musselshell	3.73
13.	Sheridan	11.41	46.	Lincoln	3.69
14.	Yellowstone	9.94	47.	Richland	3.56
15.	Deer Lodge	8.30	48.	Carter	3.45
16.	Custer	7.72	49.	Daniels	3.45
17.	Cascade	7.65	50.	Wheatland	3.45
18.	Missoula	7.41	51.	Fallon	3.14
19.	Flathead	7.33	52.	Fergus	3.00
20.	Pondera	7.30	53.	Jefferson	2.94
21.	Mineral	7.29	54.	Powder River	2.88
22.	Petroleum	6.85	55.	Blaine	2.86
23.	Broadwater	6.76	56.	Dawson	2.71
24.	Sweet Grass	6.68	57.	Teton	2.71
25.	Glacier	6.44	58.	Carbon	2.49
26.	Lake	6.44	59.	Judith Basin	2.30
27.	Ravalli	6.42	60.	Big Horn	2.21
28.	Madison	5.59	61.	Prairie	2.07
29.	Park	5.55	62.	Stillwater	1.81
30.	Sanders	5.31	63.	McCone	1.67
31.	Granite	5.14			
32.	Hill	4.79		Average	7.89
33.	Meagher	4.75			

TABLE F-6
GRANT MONIES TO STATE AGENCIES

Department of Administration	20,128.00
Board of Examiners	5,940.00
	26,068.00
Department of Institutions	94,491.83
Aftercare	224,763.27
Board of Pardons	103,600.15
Children's Center	1,417.50
State Prison	677,881.46
Warm Springs	7,635.97
Mountain View	51,586.45
Pine Hills	39,794.58
Swan River	34,766.67
	1,235,937.88
Health & Environmental Sciences	
Alcohol & Drug Commission	124,298.43
Department of Justice	
Attorney General	65,595.13
ID Bureau	26,553.60
Criminal Investigation	658.50
Fire Marshal	7,823.60
ICI Division	277.50
MLETS	757,441.56
Highway Patrol	130,497.46
MLEA	1,018,032.60
	2,006,880.00
Department of Business Regulations	818.00
Department of Fish & Game	3,876.03
Department of Livestock	66,002.00
Supreme Court	142,531.32
Department of Education	
University of Montana	190,547.32
Montana State University	408,437.71
Eastern Montana College	5,927.20
Montana Tech	2,091.81
	606,999.04
TOTAL	4,213,410.70

TABLE F-6(Cont'd.)

Miscellaneous

Big Brothers & Sisters	4,300.00
Brockton Schools	3,213.60
Discovery House	7,500.00
Montana Bar Association	25,049.44
Montana County Attorneys' Association	59,446.77
Montana Sheriffs' & Police Association	3,987.48
Montana Probation Association	9,939.00
National Council on Juvenile Justice	10,775.74
Rock Creek Foundation	8,744.10
	132,956.13
Carroll College	2,699.34
Dawson College	17,736.55
Flathead Community College	3,217.58
College of Great Falls	81,526.28
	105,179.75
TOTAL	238,135.88
GRAND TOTAL	4,451,546.58

SECTION G: COOPERATIVE ARRANGEMENTS

COOPERATIVE ARRANGEMENTS

Law Enforcement Consolidation

As shown in illustration F-1, 22 of Montana's 56 counties have initiated some form of cooperative law enforcement arrangement. Six more are proposing some cooperative effort. The arrangements vary throughout the state from partial to total consolidation depending on previously available services and facilities. One extremely low population area has consolidated all government services under a county manager.

The large land area, distances and demographic characteristics present special hindrances to consolidation efforts in many counties.

Technical assistance is provided to those jurisdictions requesting consolidation information by Montana Board of Crime Control personnel and/or LEAA contract consultants.

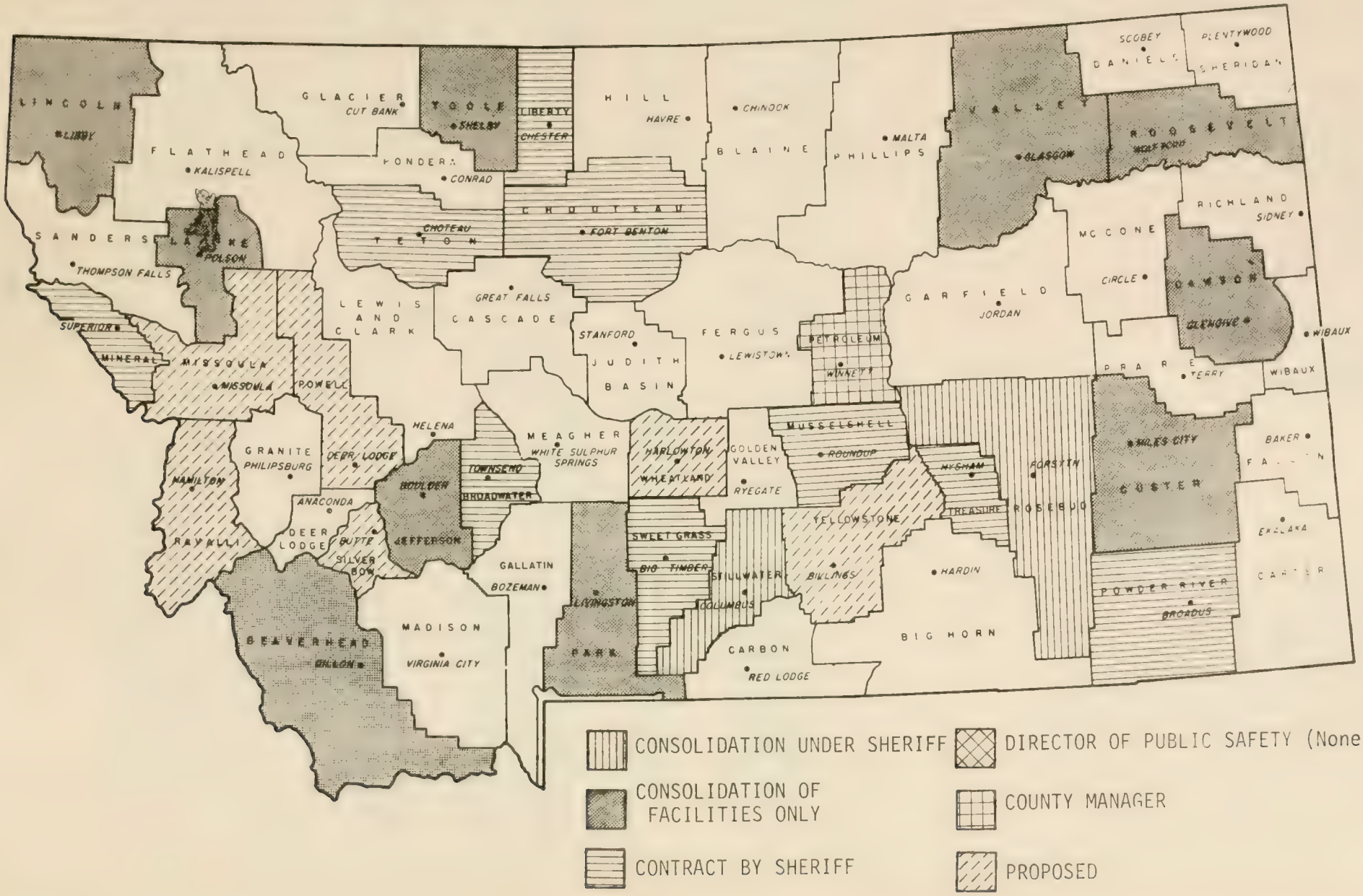
Park County - Livingston was provided a professional consolidation consultant by LEAA through a contract with Public Administration Service. An on-site survey was conducted and a comprehensive report was developed by the consultant that covers this specific consolidation and a general appraisal of Montana's possibilities and limitations regarding consolidated law enforcement services.

This report, along with other literature and materials on the subject, is supplied to those interested jurisdictions considering consolidation.

Since the inauguration of the local government study commissions considerable interest has been generated in the possibilities of combined law enforcement services. State Planning Agency staff members have explained the law enforcement function to many of these groups upon their request.

ILLUSTRATION G-1

LAW ENFORCEMENT CONSOLIDATION EFFORTS
IN MONTANA



PART TWO: THE MULTI-YEAR PLAN

Montana's population is projected to reach 816,000 in 1980, a 17.5 percent increase over 1970. However, there is little correlation between population growth and crime since the crime rate is increasing much faster than population, as shown by Illustration II-1.

Three methods are used in developing the following crime projection. The first uses the average percent increase over a 6-year base period (1969-1974) with the average being accumulated each year. The second method is by linear least squares regression. Curvilinear least squares regression is the third method.

Using the first method, the crime increase was determined to be an average of 9.6% per year for the past 6 years (1969-74). Using this increment of 9.6% and accumulating it over each previous year, the actual crimes are projected to reach 50,831. Dividing this projection by the 1980 population projection indicates a crime rate of 6229.3per 100,000 in 1980.

The second method of linear least squares regression is calculated by plotting on a graph the number of actual crimes for the 6-year period as shown in Illustration II-2. Using the regression formula $y=a+bX$ a line of best fit is projected to 1980. This method projects actual crimes of 39,404 in 1980. By dividing this projection by the 1980 population projection, a crime rate of 4828.9 can be expected in 1980.

The third method is a curvilinear regression projection using the same points on the graph but with a different formula to account for the upward curve of the actual crime points. The curvilinear regression formula is $y=b_0 b_1$ (year-1969) + b_2 (year-1969)^2 which fits a curved line of best fit to the points and projects the upward curve to 1980. This method projects 55,193 crimes in 1980. Again the population is divided into the projection for a crime rate of 6763.8 per 100,000 in 1980.

A summary of the 3 projection methods and results is as follows:

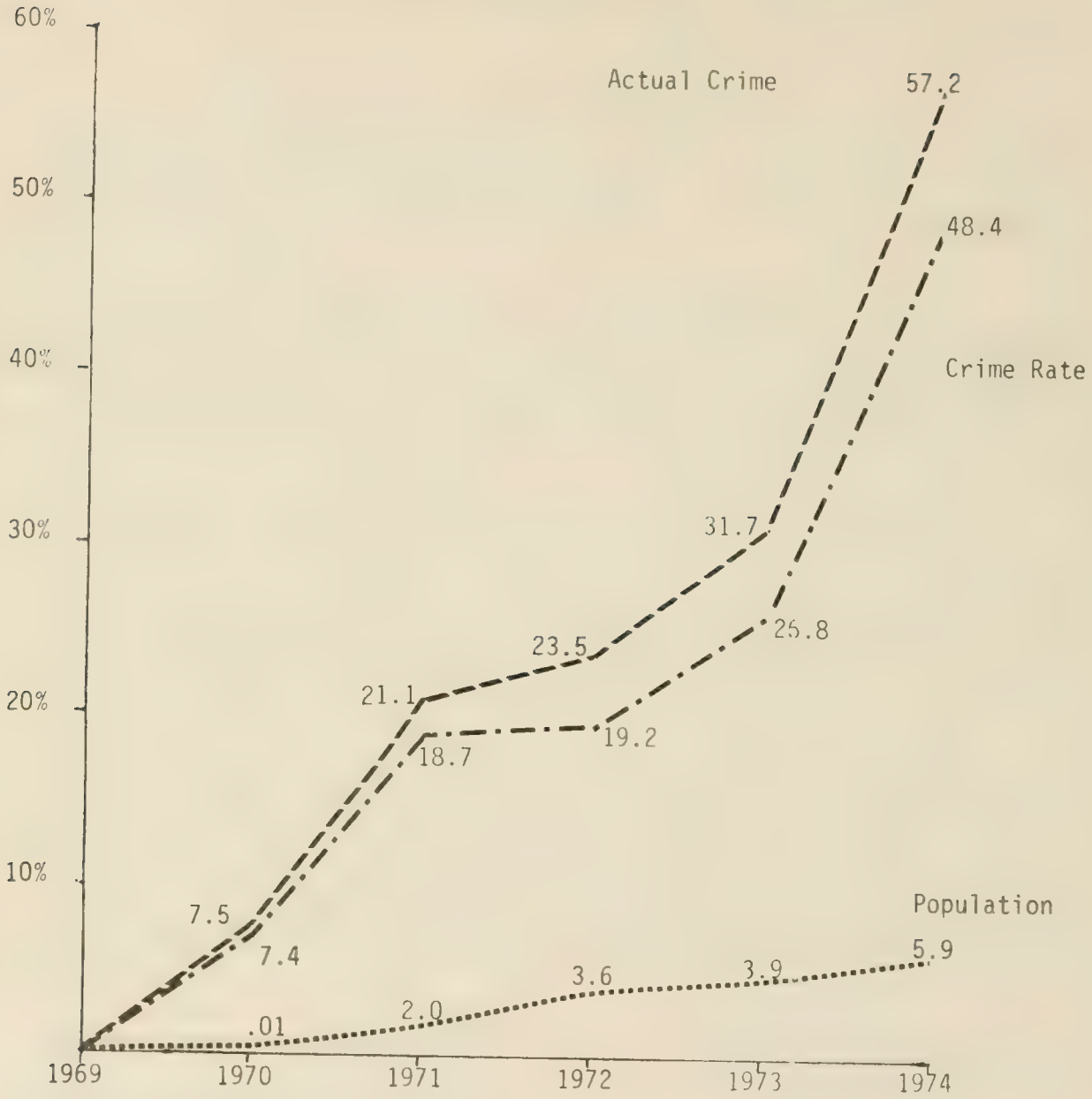
	Actual Crimes in 1980	Crime Rate Per 100,000 in 1980
1. Accumulating Averages	50,831	6229.3
2. Linear Least Squares Regression	39,404	4828.9
3. Curvilinear Least Squares Regression	55,193	6763.8

ILLUSTRATION II-1

MONTANA

CRIME & POPULATION

PERCENT CHANGE OVER 1969



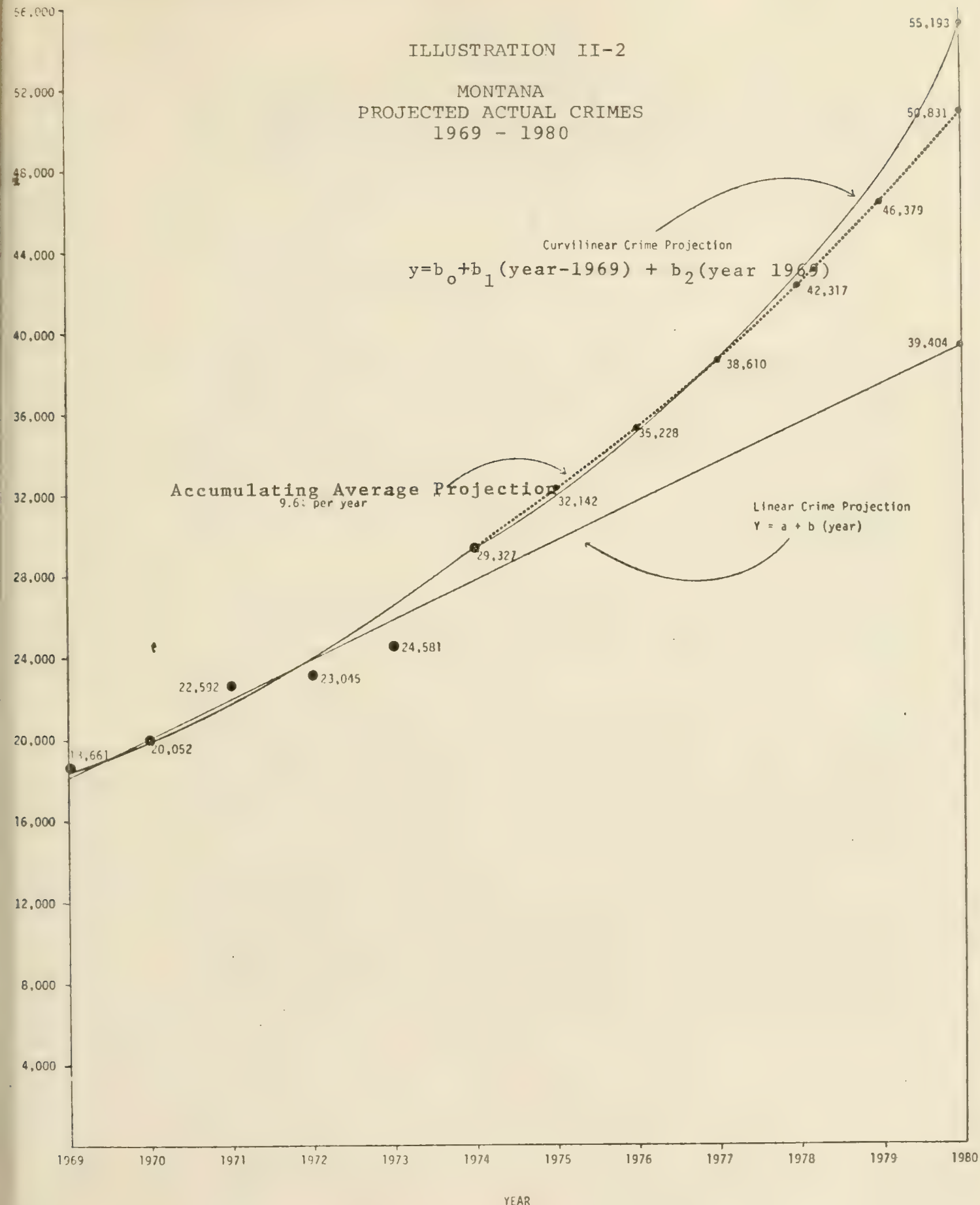


ILLUSTRATION II-2
MONTANA
PROJECTED ACTUAL CRIMES
1969 - 1980
Curvilinear Crime Projection
$y=b_o+b_1(year-1969) + b_2(year\ 1969)$
Accumulating Average Projection
9.6% per year
Linear Crime Projection
Y = a + b (year)
55,193
50,831
46,379
42,317
39,404
38,610
35,228
32,142
29,321
24,581
23,045
22,592
20,052
18,661
56,000
52,000
48,000
44,000
40,000
36,000
32,000
28,000
24,000
20,000
16,000
12,000
8,000
4,000
1969
1970
1971
1972
1973
1974
1975
1976
1977
1978
1979
1980
YEAR

In clarifying these 3 methods, it is important to remember that the projections are not point estimates but rather trend estimations. With this in mind, Montana can expect to have a crime rate in 1980 somewhere between 4828.9 and 6763.8, and probably very near the 6229.3 crimes per 100,000 figure, if present trends continue.

Montana Board of Crime Control

Crime/Coal Impact

Nine Montana counties have been selected as actual potential Crime/Coal Impact areas along with 3 Wyoming counties. Counties expected to experience actual impact are Rosebud, Big Horn, Powder River, Treasure, and Custer. Potential Crime/Coal counties are McCone, Garfield, Dawson, and Prairie. The Wyoming counties are Campbell, Converse, and Sweetwater. The 3 Wyoming counties are experiencing a higher level of impact and are used here simply to gauge the levels of Crime/Coal Impact that Montana counties may expect.

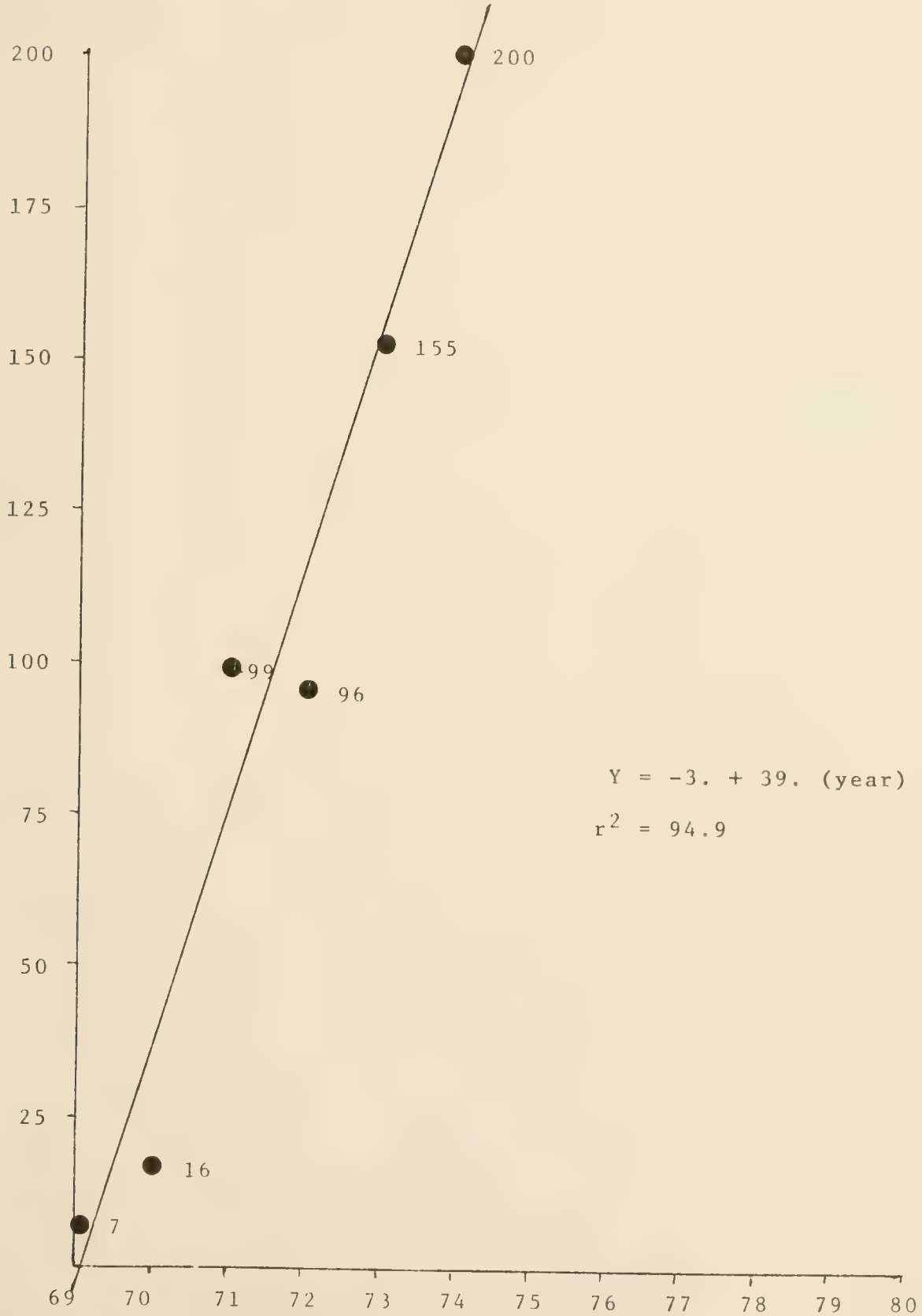
A study of this type is designed to show the social problems that arise in impact areas, thus enabling the Montana Board of Crime Control to effectively allocate resources to reduce crime in the most cost-effective manner.

A trend analysis of Offenses Known to Police has been calculated for all counties to attempt to predict what might occur by 1980. Illustration II-3 is an example showing Rosebud County. With trend projections of this type, one should be able to show that if resources are allocated to reduce crime in the impact areas, there should be a corresponding decrease in the rate of increase as measure of effectiveness of crime prevention programs.

Montana has received funding for the development of the Comprehensive Data System (CDS). Monies have been used to support the Criminal Justice Data Center, create a Management and Administrative Information System, and enhance the technical assistance capability. Criminal justice information is currently collected from police, sheriffs, courts, and the state prison.

CRIME/COAL STUDY
ROSEBUD COUNTY
PROJECTED CRIMES
1969 to 1980

Illustration II-3



SECTION H: MONTANA JUSTICE PROJECT

MONTANA JUSTICE PROJECT

Background

Thirty-three representatives of the various criminal justice system associations, legislators, private citizens, educators, local government representatives, minority group members, and professionals within the system were appointed by the Governor on September 20, 1974, to the Montana Council on Criminal Justice Standards and Goals (MCCJSG).

This composition was selected to provide maximum input from all phases of Montana's criminal justice process, and also to prevent failure of the program due to lack of support from the various elements within the system as well as from the general population.

An executive committee was established, composed of the chairmen of the 5 task forces: Police, Courts, Corrections, Information Systems, and Community Crime Prevention. Their function is to formulate bylaws, policies, and guidelines for the program and act in the capacity of general overseers and advisers for the project's duration. The name "Montana Justice Project" was adopted for the standards and goals effort by the executive committee to aid recognition and ease communication. Another function of the executive committee was to appoint members of the task forces. The same standards for representation were applied to task force members as had been applied to the Council. Task force membership varies from 11 to 18 members.

Current project staff consists of the director, assistant director, 2 secretaries, a public information officer, and 5 task force coordinators. Each coordinator was selected for his particular skills, knowledge, and abilities relating to his task force's area of concentration. The duties of these individuals are:

A. Coordinate and assist in the research, review, and evaluation of existing standards and goals;

B. Provide technical assistance when necessary;

C. Evaluate and monitor task force progress;

D. Coordinate and utilize the work of the other 4 task forces;

E. Participate in all system functions that could have a bearing on the development of Montana's standards and goals;

F. Organize and regulate all staff work and liaison among the task forces and with the general council;

G. Research, organize, and present information with logic and supportive data;

H. Prepare and analyze reports and formulate recommendations; and,

I. Compile, write, and edit reports and rough drafts produced by the task forces for inclusion in the final comprehensive report on standards and goals in Montana.

The function of the public information officer is vital. It was felt that without the proper perspective on public information, the chances of the program's success were dim. In a project such as this, success can be achieved only by gaining the support of all concerned with the quality of life in Montana. With this in mind, the information officer's duties were outlined as follows:

A. Establish and maintain a high level of communication among task forces, general council, S.P.A., and Regional S.P.A. Councils;

B. Develop and utilize a means of informing criminal justice system agencies, special interest groups, and the general public of all Montana Justice Project activities;

C. Develop a methodology for criminal justice system and public input regarding the Montana Justice Project decision-making process;

D. Prepare press releases, public service announcements, and media presentations relating to the standards and goals effort;

E. Arrange and conduct press interviews to keep the public informed;

F. Research, write, organize, and edit all Montana Justice Project publications;

G. Administer the rewriting, to the finished product stage, of all standards, goals, and recommendations upon council adoption; and,

H. Handle all special events relating to standards and goals.

A general orientation conference was held early in December, 1974, to acquaint not only the council and task force members, but criminal justice system personnel and the general public with the Montana Justice Project and its aims, hopes, and desires. Since then, the various task forces have been proceeding toward the goals given them, in compliance with work objectives. Professionals within the system are turning to the Montana Justice Project with their suggestions, and are looking to the standards and goals program for possible solutions to many of their problems. During the past legislative session, reference to the Montana Justice Project in a supportive vein was common. Legislative notice of the project was exhibited not only by requests from legislators for assistance, but also by passage of a joint resolution calling on the Montana Justice Project for "a study of the delivery of correctional services in Montana in order to explore what orgniizational alternatives will make possible a more efficient, systematic delivery of correctional services with the greatest degree of continuity of services between various levels of the correctional system."

Controversial issues are not being sidestepped by any of the task forces, but are being utilized for premeeting publicity to entice the public to attend. These meetings are normally 2 days in length and are being conducted in strategic locations statewide. Population density has not been the primary factor in the selection of the meeting sites, but rather the issue up for discussion, and how it may be reacted to by a particular geographic segment of the population.

In addition to studying the National Advisory Commission Standards, American Bar Association Standards, American Correctional Association Standards, and the Ohio comparison report, the task forces are researching areas of need in Montana's criminal justice system not covered by the above documents, and are originating pertinent standards and recommendations to cover these deficient areas. Emphasis on improvement, efficiency, and productivity of the system has been the foremost consideration of the 5 task forces, and not the mere rewriting of national standards and goals.

The products to be given birth by the Montana Justice Project will be designed with 4 target areas in mind for implementation: the legislature, criminal justice system professionals, and public, and local government. Successful implementation will be dependent upon the collective support of these 4 elements.

Procedures

The following work guidelines were established for clarification of purpose and procedures:

Staff Work Guidelines

1. Public Involvement in Task Force Deliberations

   A. Make sure public notice of all meetings goes out;

   B. Work with information officer to inform and educate the public;

   C. Relay all public and professional comment/response to the task force, i.e., editorials, letters to the editor, letters, phone calls, private statements, etc.;

   D. Insure post-meeting news releases are distributed;

   E. Insure distribution of material to interested groups, leagues, and associations;

   F. Participate in hearings, civic meetings, etc.;

   G. Initiate appropriate means to promote public interest in the Montana Justice Project.

2. Comprehensive Review of Montana Criminal Justice System

   A. Gather and prepare data and statistics pertinent to task force considerations;

   B. Collect constitutional requirements, statutory laws, and regulatory rules and procedures relevant to standards being considered;

   C. Provide special studies and consultants as requested by the task force chairmen;

   D. When appropriate, or when requested by task force chairmen, compare criminal justice programs used in other states with Montana's or with proposed standards;

   E. When necessary, provide task forces with data and descriptions of related, but non-criminal justice programs, i.e., health, welfare, mental health.

3. Develop Standards and Recommendations for Montana Criminal Justice System

   A. Extract all related existing standards (ABA, NAC, ACA, etc.) for monthly review by task force;

B. Draft original standards as requested for review by task force;

C. Correlate data and research to specific standards to be reviewed by task force;

D. Compile and mail to task force members at least 10 days in advance of meeting all necessary data and standards, along with agenda;

E. Make presentations at task force meetings as required;

F. Record notes, including dissent (when requested) on standards and the language of standards adopted, and other material or comment at the request of the chairman;

G. Earmark adopted standards which should be coordinated with other task forces, and distribute accordingly;

H. Following the meeting, assimilate all relevant materials and research in text supporting and explaining adopted standards;

I. Send proposed text, including standards, to members for approval and transmittal to Council.

Task Force Work Guidelines

1. Public Involvement in Task Force Deliberations

A. Meetings shall be open to the public;

B. Task forces must encourage public participation and input;

C. Meetings shall be held in different locations throughout the state;

D. Encourage participation and input from various professional associations and leagues.

2. Comprehensive Review of Montana Criminal Justice System

A. Review and analyze criminal justice system data;

B. Request studies and/or consultant assistance as needed;

C. Measure efficiency and evaluate effectiveness of existing systems and components;

D. Consider related systems (non-criminal justice);

E. Compare Montana's criminal justice system to other states' systems.

3. Develop Standards and Recommendations for Montana's Criminal Justice System

A. Review existing standards (ABA, NAC, ACA, etc.) at the discretion of the task force;

B. Compare standards to Montana's individual needs;

C. Approve, modified or otherwise, standards appropriate to Montana's criminal justice system;

D. Originate standards appropriate for Montana's criminal justice system;

E. Report approved standards and text to MCCJSG with attached minority reports if demanded;

F. Reconsider standards returned by the Council;

G. Modify, accept, or reject new standards originating in the MCCJSG and sent to the task force for review;

H. On request of other task force chairmen, modify, accept, or reject standards approved in other task forces.

4. Develop Proposed Legislative Changes

A. Earmark standards requiring legislation;

B. Recommend specific legislation, such as model laws.

Council Work Guidelines

A. Review and comment on task force approved standards;

B. Develop standards and recommendations regarding social justice concerns;

C. Review and propose legislation needed to implement standards;

D. Receive, review, and coordinate all 5 task force final reports:

1) Identify and compromise conflicting standards;

2) Identify and coordinate related and complimentary standards;

3) Accept, delete, modify, and edit standards and text in each task force report;

4) Earmark and append proposed legislation to each task force final report relevant to standards in that report.

E. Publish finalized task force reports as follows:

1) Montana Justice Project: Police Standards

2) Montana Justice Project: Courts Standards

3) Montana Justice Project: Corrections Standards

4) Montana Justice Project: Community Crime Prevention Standards

5) Montana Justice Project: Information Systems Standards

6) Publish a "Montana Justice Project Strategy Report" which states goals, ranks standards, and recommends methods for implementation;

7) Address possible application of approved standards to specific crime problems.

Accomplishments

The MCCJSG held a general meeting on April 25, 1975, and dealt with the project budget, intern subgrant, and publicity strategy. It also formulated a legislative subcommittee to handle the drafting of legislation for those standards so earmarked. It discussed several key areas of concern to Montana's criminal justice system and assigned many of these issues to individual task forces for research. The remainder of the meeting was taken up with task force status reports from each of the chairmen:

Police Task Force

This group passed 6 of 9 goal areas, with 24 standards passed in final form. One standard is still under consideration. The task force coordinator attended P.O.S.T. Advisory Council meetings as well as the Montana Association of Counties and Montana Sheriffs and Peace Officers Association m eetings to explain the task force function and solicit input and support. Three members of the task force and 1 general council member participated in a fact-finding tour to crime laboratories in Seattle, Washington, and San Jose, California, with excellent results regarding research data. This task force has conducted 8 meetings to date. The Coordinator has received several phone calls and messages from the public as a result of the publicity campaign.

Courts Task Force

This task force has held 4 regular meetings thus far and accomplished the passage of 14 goal areas and 12 standards in final form, with 1 standard currently under consideration. The coordinator has been in contact with the Concerned Citizens for Court Improvement group, seeking their input and describing the task force process to them. He has also handled many calls and letters received from the public as a result of the media publicity campaign. This task force has been quite successful in its dealings with the news media and has had excellent coverage relative to meetings held and topics discussed.

Community Crime Prevention Task Force

This task force has adopted 3 goal area statements with 1 still under consideration. Six standards have been passed in final form, 2 standards have been sent to low income and minority group representatives for their perusal and comment, 1 standard is pending rewrite, and 7 standards have been tabled pending further research. Eleven standards are yet to be considered. The NAC Community Crime Prevention Advisory Council book has been completely rejected by this task force as they felt it was poorly organized and without merit. All standards, goals, etc., formulated by this group are originals designed expressly to fit Montana's needs. The coordinator has participated in and spoken at several seminars held on Montana's criminal justice system. To date, this task force has held 7 meetings throughout the state. The coordinator has received only one call from the public thus far. Television and newspaper coverage of task force meetings has been good.

Corrections Task Force

Forty-nine standards have been passed in final form with 6 still under consideration, and 8 goal areas have been established. The coordinator has conducted numerous research interviews with experts around the state, visited various correctional institutions, and attended criminal justice system seminars to further his own and his task force's knowledge and expertise in the correctional field. The task force has held 8 regular meetings so far. The coordinator has received several calls from the public regarding various aspects of the criminal justice system. He, his chairman, and individual members of his task force have also appeared on radio talk shows to further community input to their group.

Information Systems Task Force

Final form standards adopted by this task force total 14, with 5 standards pending rewrite and 8 under consideration. Two major goal areas were passed during the task force's 5 regular meetings. One goal area is yet to be considered. As of May, this task force completed a slight reformation in membership and limited its scope strictly to standards and goals matters. The coordinator, outside of his regular duties, is attending an accredited course at Carroll College dealing with the 1973 revision of Montana's criminal code. It is hoped that this can provide better understanding of the aspects of the code revision vis-a-vis the various decision points along Montana's criminal justice process.

Information Officer

The information officer has been active in continuing his dissemination of project news to the media. Media coverage of meetings has been excellent, and has included several feature stories on certain elements in cities where meetings are held. In addition, he is contacting local government and systems personnel, inviting them to attend. He designed and published the first Montana Justice Project newsletter, which will be continued as needed, and is distributed to approximately 1,600 individuals. Public and criminal justice system response to the newsletter has been very good. Thirty-five of Montana's 50 radio stations continue to play the six 30-second radio spots calling for public input. Air space donated to the Montana Justice Project is running approximately $2,500 per week. A television campaign similar to the radio spots is in the making. The information officer has received numerous public responses which have provided input to the standards and goals process.

Sub-committees

Two sub-committees composed of representatives from the various task forces were formed to draft acceptable standards in the areas of (1) diversion, and (2) Alternatives to Arrest. It was felt by the task forces that these were areas of concern to more than one component of the criminal justice system. They also hoped to avoid conflicting standards from individual task forces on these topics. Five standards were formulated by the diversion sub-committee, and

1 standard was composed by the Alternatives to Arrest sub-committee. These standards were in turn presented to the task forces for their adoption.

Intern Program

Two Montana State University students pursuing degrees in the criminal justice field were hired to perform background research in all 5 task force areas as an aid to the coordinators and task forces. They have located, indexed, and filed over 300 pertinent phrases, documents, manuscripts, etc., that will be valuable to the task forces and in addition, established a card index file showing sources, cross-references, and general descriptions of the data they gathered, which will provide immediate location of the material as well as quick referencing for documentation purposes.

General Information

An instance worthy of special mention to illustrate the Montana Justice Project procedure in soliciting input to facilitate standard development is the process used by the Police Task Force to formulate its standard on Law Enforcement Consolidation. Realizing that a wide diversity of opinion existed on this topic, they designed a survey questionnaire to provide general opinions, implementation methods, and funding suggestions, as well as other pertinent information. This questionnaire was mailed to approximately 600 individuals and groups including criminal justice personnel, private citizens, and local government bodies. Information from the returned questionnaires was tabulated and presented to the task force to aid in its determination of what Montana wants and needs in this area.

Projections

All task force reports will be submitted in final draft to the Council no later than March 31, 1976. Each report will be organized into chapters and format as stipulated by the Executive Council (see illustration H-1). The task forces will also submit 5 priority areas they deem to be the most urgent for consideration by the Council.

Then the 5 task forces will become inactive, and the Council will become the working body of the Montana Justice Project, with the responsibility of reviewing, discussing, and accepting each task force report. Reports will then be published and distributed according to their target areas. This will be completed by June 30, 1976, upon which task forces will be dissolved.

The MCCJSG will then turn its attention to the development of its own strategy report to the Governor. In addition to performing its duties as described in the

Council Work Guidelines, it will be considering standards, goals, and implementation strategy for the 5 priority areas from each task force. The deadline for publication of this report is November 30, 1976.

ILLUSTRATION H-1

Format

Each chapter in the report will contain the following headings:

1. Title of Chapter
2. Summary or "overview" of Chapter
3. Standards*

    A. Title and number of standard
    B. Task force findings
    C. Standard--in bold print
    D. Implementation
    E. Cross-references

* Each standard and sub-paragraphs A-E must be contained in full on one sheet of paper (2 sides).

SECTION I: A POTENTIAL CRIMINAL JUSTICE SYSTEM FOR THE 1980s

The ideal law enforcement system is based on a network of 10-man minimum departments deployed to provide 24-hour-a-day coverage to each county with a population over 2,500. Within the department, improved training, streamlined operating procedures and adequate facilities and equipment will improve police capability to patrol, detect and apprehend criminals and provide the myriad other services required by the public.

Police capability to communicate and interact with the community also must be improved. The police must take an aggressive role in developing a community spirit and working with concerned citizens in preventing and detecting target crimes.

> MANPOWER: Establish and effectively deploy 10-man units to provide service to each county with over 2,500 population.

The increase in rural law enforcement manpower to units of 10 or larger is essential to the ideal system. Additional man-hours will allow time for advanced and specialized training; continued and thorough investigations; 24-hour operations and interaction with the community.

Each department should include at least one person who has specialized skills in communication. This person, as a regular duty, should initiate and maintain contact with the news media and the community.

> TRAINING: Require a minimum 400 hours training for each recruit. In-service training of at least 400 hours per year should be required.

To reach and maintain a high level of police professionalism each recruit should be required by the Peace Officers Standards and Training Council to complete at least 400 hours of basic training. This recruit training should include the basic skills of mass and personal communication, an understanding of the overall police function and preparation to investigate any crime, apprehension of the offender, and preparation of the case for prosecution.

Training in communication skills is essential for police capability to work with other law enforcement agencies, criminal justice agencies, citizens and the community and to extend his service to work among offenders to reduce recidivism.

Through in-service training the professional lawman should refresh his knowledge of basic skills and acquire specialized skills.

> EDUCATION: Establish minimum requirement of 12 years formal education or GED certification. Each recruit should agree to continue with post-secondary education.

Recruit screening should be used to select mentally and psychologically fit officers. High school graduation or certified equivalency should be a minimum educational requirement.

Salary increases and promotions will be needed to recruit and hold career-oriented officers and to encourage officers to acquire associate or bachelors degrees in police science or related fields.

> EQUIPMENT: Each agency should supply adequate equipment for the protection of the officer and the public. Specialized investigative equipment should be available as needed. Agencies should adopt and require uniforms which provide safety and public recognition.

Each agency should supply each officer with adequate equipment for his own protection and that of the public. Vehicles essential to rural patrol should be equipped for communications and visibility.

Uniforms should be adopted which are recognizable and easily identifiable. Specialized equipment should be available in each department

FACILITIES: Minimum facilities should include housing for communications, records, and personnel. Overnight detention facilities should allow space for interrogation and attorney/offender conferences.

Each agency should have facilities to house communications, record-keeping, and dispatch. Ideally there should be a separate area for the administrator's office, clerical personnel, interrogation and visiting for detainees, and an isolated area for offender/attorney conferences.

Jail facilities should be considered as holding areas for pre-trial detainees. Ideally, space should be provided for segregation of male and female adults and male and female juveniles.

WORKLOADS: Each agency should seek to effectively deploy available manpower by assigning non-sworn personnel to handling non-police matters and limiting the workload of sworn personnel to law enforcement duties.

Sworn trained officers, to the extent possible, should be free from non-police activities such as service to related agencies and civic organizations. Sworn personnel should limit duties to patrol, investigation, and law enforcement functions.

Supplementary manpower should assume responsibility for record-keeping, communication, dispatch, and other clerical functions whenever, and to the maximum extent, possible.

OPERATING STANDARDS: Written standards defining the duties, responsibilities, and activities of the agency and of each staff member should be posted. A similar outline of the agency function should be available to the public.

Specific areas of crime and specific target crimes should be periodically identified for both the staff and the public.

Each law enforcement agency should have a written and established policy for providing information to the press. This policy should provide for the release of routine information, promotional and education material and emergency communications as well as data on crimes, investigations and arrests. The policy should designate one or more individuals to serve as liaison to the press.

Each agency should have a written and established policy for handling citizen complaints and grievances. This policy should provide for a record of the complaint and subsequent action to be permanently filed and accessible to the public. A record of the subsequent action should be conveyed to the citizens.

Each officer should be encouraged to take an active role in encouraging and participating in school, civic organizations and neighborhood efforts to form or maintain worthy crime prevention programs.

These operating standards will assure that all staff and the community as well understand the police function. Such standards will also serve as the base for setting goals and priorities for the department itself and for liaison with the public and other agencies.

SERVICES OFFERED: Service to the public and to associated agencies should be the first priority of any law enforcement agency. Such services should include liaison and assistance to the governing body of each city and county, to the public, to detainees and their visitors, to prosecutors, defenders, courts and other law enforcement agencies to corrections officers and to offenders released back into the community.

Specific services should include:

(1) Assistance in the release of prisoners on their own recognizance;

(2) Diversionary plans;

(3) Specific target-crime campaigns;

(4) Narcotic and drug investigations;

(5) Intelligence operations (even extending to the detention system);

(6) The capacity to speak and meet with school, religious and civic groups interested in active crime prevention; and,

(7) Active support and participation in civic campaigns aimed at prevention, patrol or detection of crime.

To further minimize public apathy, law enforcement agencies in major communities should take an aggressive role in developing community awareness and interest by:

(8) Contacting school, civic and religious organizations for assistance in reducing target crimes, fostering cooperation and planning neighborhood security; and,

(9) Maintaining contact with the community through ongoing campaigns of regular public meetings, press conferences and participation in school and civic affairs.

> INFORMATION SYSTEMS: An integrated network of criminal justice information systems providing full-time dispatch must be established.

All criminal justice agencies will require more information to function properly in the next ten years. This information must be timely and useful in decision making. It will be required for both operational and management purposes.

The information will assist local and state criminal justice agencies in the apprehension of criminals, the reduction of the personal risk of arresting officers, the expeditious handling of court cases and the effective treatment of offenders. It will aid in the planning, organizing, directing and evaluation of activities where most of the needs are statistical in nature.

To accomplish this, an integrated network of criminal justice information systems must be developed for collecting, processing and disseminating data. Considerable use of the latest information system technology involving computers, telecommunications and terminals will be required to operate a single, complete information network linking all criminal justice agencies. The network would be operationgal on a 24-hour, seven-day-a-week basis.

The proposed criminal justice system network corresponds to four levels of government jurisdiction. The first level of jurisdiction consists of the information and statistical activities conducted by the Federal government. The second level includes the activities conducted by the state. The third level is the criminal justice information and statistical system maintained by local jurisdictions. This level, in most cases, would be a joint city and county endeavor. The fourth level consists of the information needs of the individual criminal justice components; the police, courts and corrections.

Standards must be established for the design and operation of the criminal justice systems to facilitate inter-system communication and to ensure the integrity and security of data. The standards are necessary for system and security and privacy procedures.

Montana would need a mandatory reporting law authorizing the state to collect criminal justice data on standard input forms. Legislation would be required to establish a Security and Privacy Council with sufficient authority to adopt and administer security and privacy standards for criminal justice information systems. These standards would include purging, access, and dissemination of criminal offender data.

The state should provide the following services as part of the criminal justice information system:

- Online data fulfilling common information needs for criminal justice agencies. The following table illustrates the function of the state system.

Table I-1
Criminal Justice Functions Performed By
State Criminal Justice Information Systems

Police Functions	Courts Functions	Corrections Functions
Administration/Finance	Administration/Finance	Administration/Finance
Alphabetic Index	Briefs Bank	Aftercare Information
Arrests	Courts Personnel	Case Disposition Reports
Communications-Message Switching	Criminal History	Corrections Personnel
Communications-Online Inquiry	Juvenile Index	Criminal History
Crime Lab	Juvenile Records	Inmate Accounting
Crime Trend Analysis	Offender Based Transactions	Inmate Records
Criminal Associates	Planning	Offender Based Transactions
Criminal History	Probation & Parole	Performance Evaluation
Fingerprinting Processing	Prosecution	Physical Goods Inventory
Licensing/Registration	Research/Statistics	Planning
Missing Persons		Probation & Parole
Modus Operandi		Rehabilitation
Narcotics Control		Research/Statistics
Offender Based Transactions		
Organized Crime		
Performance Evaluation		
Planning		
Police Personnel		
Research/Statistics		
Stolen Licenses		
Stolen Property-Guns		
Stolen Property-Vehicles		
Stolen Property-Other		
Subjects in Process		
Training		
Uniform Crime Reports		
Warrants/Wanted Persons		

- A computer to computer interface or remote job entry interface with Montana State Prison for access to corrections data. Table I-1 contains a list of functions supported by the corrections information system.

- Access by computer interface to vehicle and driver files maintained by non-criminal justice agencies.

- Maintenance of a state computer dedicated solely to and controlled by criminal justice agencies.

- All necessary telecommunications and terminals for access to local users in all 56 counties, either by computer to computer interface, remote job entry interface or direct terminal link.

- The computerized switching of agency to agency messages for all intrastate users and routing of messages to and from qualified agencies in other states.

- A high speed interface to NCIC providing access, entry and update to all NCIC files and indexes.

- The reporting of offender-based transaction and uniform crime report statistics to the federal government.

- Preparation of a yearly master plan for the development and maintenance of the integrated network of criminal justice information systems.

- Arrangements for the audit and inspection of state and local information systems.

- Technical assistance and training to all criminal justice agencies in data collection methods, system development, statistical analysis, data processing, telecommunications, and planning and evaluation.

In order to accomplish the previously outlined functions, the state will have to staff and fund a criminal justice planning and evaluation center, a statistical analysis center, a data processing center, and an identification center.

Local automated information systems would be developed in the more populated areas to satisfy joint city and county needs. These systems would be supported on local shared computers or remote job entry from the state dedicated computer. The local criminal justice information systems would be located in Billings, Great Falls, Missoula, Butte, Helena, Bozeman, and Kalispell. They would develop a combination of manual and automated systems relative to police and courts functions as described in the following table. All of the functions may not be required at every location.

Other local criminal justice agencies would develop manual systems to satisfy their information needs.

Table I-2
Criminal Justice Functions Performed By
Local Criminal Justice Information Systems

Police Functions	Courts Functions
Activity Reporting	Administration/Finance
Administration/Finance	Calendar/Scheduling
Alphabetic Index	Case Control
Communications-Online Inquiry	Case Disposition Reports
Crime Trend Analysis	Citation Control
Performance Evaluation	Communications-Online Inquiry
Planning	Docketing
Research/Statistics	Evidence Control
Resource Allocation	Fines, Collateral, Bail
Subjects in Process	Jury Management
Workload Analysis	Juvenile Index
	Planning
	Research/Statistics
	Summons Control
	Warrant Control
	Witness Control

COMPLIANCE WITH STANDARDS AND GOALS:

The following standards set by the National Advisory Council on Criminal Justice Standards and Goals in the report on "Police" are being at least partially met by Montana law enforcement agencies.

MANPOWER:
- 1.4 Communicating with the Public
- 1.5 Police Understanding of their Role
- 1.7 News Media Relations
- 5.2 Combined Police Services
- 9.1 Specialized Assignment
- 9.8 Special Crime Tactical Forces

MANPOWER: (cont.)	9.10	Narcotic and Drug Investigation
	10.1	Assignment of Civilian Police Personnel
	10.2	Selection & Assignment of Reserve Police Officers
TRAINING:	1.2	Limits of Authority
	1.3	Police Discretion
	3.2	Crime Prevention
	16.4	Interpersonal Communications Training
	16.5	In-Service Training
	16.6	Instruction Quality Control
	16.7	Police Training Academies and Criminal Justice Training Centers
EDUCATION:	13.2	College Recruiting
	15.1	Educational Standards for Selection of Police Personnel
	15.2	Educational Incentives for Police Officers
EQUIPMENT:	4.3	Court Supervised Electronic Surveillance
	21.1	Police Uniforms
	21.2	Firearms and Auxiliary Equipment
	21.3	Agency Provision for Uniforms and Equipment
	23.2	Standardized Radio Equipment
	24.2	Basic Police Records
	24.3	Data Retrieval
	24.4	Police Telecommunications
FACILITIES:	4.1	Alcohol and Drug Abuse Centers
	12.2	The Crime Laboratory
	12.4	The Detention System
WORKLOADS:	1.1	The Police Function
	1.4	Communications with the Public
	4.3	Diversion
	5.1	Responsibility for Police Service
	9.7	Criminal Investigators
	9.9	Vice Operations
	9.10	Narcotic & Drug Investigations
	9.11	Intelligence Operations
	16.4	Interpersonal Communication Training
	16.5	In-Service Training
	24.1	Police Reporting
	24.2	Basic Police Records

OPERATING STDS.	1.7	News Media Relations
	2.2	Establishment of Policy
	7.2	Executive Responsibility
	9.5	Juvenile Operations
	9.6	Traffic Operations
	9.11	Intelligence Operations
	18.2	Police Employee Organizations
	23.3	Radio Communications
	24.1	Police Reporting
SERVICES:	1.1	The Police Function
	2.2	Establishment of Policy
	4.3	Diversion
	9.8	Special Crime Tactical Forces
	9.9	Vice Operations
	9.10	Narcotic and Drug Investigation
	9.11	Intelligence Operations
	12.4	The Detention System
INFORMATION SYSTEM:	23.1	Police Use of the Telephone System
	23.3	Radio Communications
	24.1	Police Reporting
	24.2	Basic Police Records
	24.3	Data Retrieval
	24.4	Police Telecommunications
	4.1	Police Information Systems
	4.2	Crime Analysis Ability
	4.5	UCR Participation
	4.6	Expanded Crime Data
	4.7	Quality Control of Crime Data

Ideally, the judicial branch of government should reflect a balance between accountability and service to citizens of the state and the maintenance of the traditional independence of the judiciary from extra-judicial or political pressures. Potentially, in Montana, elements of this precarious balance should be (1) a fundamental statewide uniformity in administrative, adjudicatory, and procedural treatment of matters of concern to the whole state (especially in the area of criminal justice), and (2) the retention of flexibility and the ability to adapt and respond to local conditions and special problems. In other words, courts should meet their responsibilities through a combination of planning and ad hoc response, without exclusive reliance on either approach.

In those areas of judicial administration where overall improvement, uniformity, and equal treatment are appropriate central state service and recordkeeping is necessary. Such central service begins with provision of a state court administrator who has adequate resources and administrative personnel. The administrator's office should be attached to the state supreme court, and its functions should include the preparation of the state judicial budget, collection and analysis of courts information, provision for in-service education and training of justices and judges, planning, information exchange among state courts and liaison with public and press.

The state should assume financial responsibility for providing adequate research and administrative and social services support as needed for the supreme court, the district courts, and the lower courts. The assumption of such responsibility by the state, in terms of both planning and execution, would obviate most of the problems that heretofore have been approached by considering adjustments in the boundaries of districts and/or the number of judges. With such a statewide program, the possibility of flexible response to changing population patterns,to workload components of individual districts and areas, and to economic and technological changes would be built into the structure of the judicial branch.

MANPOWER: A state court administrator with adequate staffing and resources should be attached to the state supreme court. The chief functions of his office should be to provide assistance and advice in judicial administration to courts and court-related agencies at all levels and to institute uniform recordkeeping and reporting where appropriate.

The state should assume financial responsibility for the provision of adequate staff for research, administration and social services for trial courts and the appellate courts as needed.

Programs of continuing education and in-service training should be instituted for all courts personnel. Groups reached by such programs should include appellate and trial court judges, the judges of the lower courts, the courts administrator and the staff of that office, support and advisory personnel in the social services areas, county clerks of the district courts, and administrative personnel of the lower courts. Although training efforts should be geared to the functional needs engineered by specialized activities, they should also be coordinated to increase cooperation and understanding and to avoid the hazards of conflicting priorities arising from overspecialization. Regular publications, including newsletters and information about resources and technical assistance available, should be a part of the programs, together with seminars, workshops, and training sessions.

TRAINING: In-service training programs should be instituted on a regular and continuing basis for justices, judges, clerks of court, and for the court administrator's and judges' support staff.

The role of courts as a separate branch of government and their remedial and protective functions, serving both the individual and society, should be the subject of statewide community education and discussion. An understanding of the responsibilities of courts as part of the criminal justice system is particularly essential for the personnel of other components of that system. Courts should undertake to convey to the public an awareness of the indispensability of direct and willing citizen participation as jurors, witnesses, and voters if the ideal of equal justice in a free society is to be translated into reality.

A law-related course of study should be devised for elementary and/or secondary schools and should be incorporated into required curriculum by the Department of Public Instruction. Teachers should be specially trained in the goals, objectives, and subject matter of the courses. A broad-based committee of citizens, lawyers, judges, prosecutors, defense attorneys, and law enforcement and corrections personnel should participate in drafting a proposed course for curriculum inclusions. The committee should consider model proposals compiled by the American Bar Association's special committee on Youth Education for Citizenship, together with Montana's special needs and problems.

EDUCATION: The role of the courts as a separate branch of government and their remedial and protective functions, serving both the individual and society, should be the subject of statewide community education and discussion.
A law-related course of study should be devised for elementary and/or secondary schools and should be incorporated into the required curriculum by the Department of Public Instruction.

The state should develop a legal research center to serve the needs of judges, prosecutors, and defenders, especially those in the more rural areas. The center should include a computer terminal to tie into the national systems of computerized legal research, an excellent law library, sufficient competent personnel, and a toll-free telephone connection to every courthouse.

An inventory should be made of court equipment and physical facilities throughout the state, and upgrading of both should proceed as needed. The state should participate in inventorying, planning, and execution. Technical assistance should be sought in the inventory and planning phases. Such a project should be among the high priorities of a court administrator. Special attention should be given to improved facilities for jurors and witnesses.

EQUIPMENT AND FACILITIES: The state should develop a legal research center, including a computer terminal, to serve the needs of justices, judges, prosecutors and defenders.

An inventory should be made of court equipment and physical facilities throughout the state, and upgrading of both equipment and facilities should go forward as needed. Special attention should be given to improved facilities for jurors and witnesses.

A courts planning unit with an advisory council of district court judges should be formed, probably under the aegis of a ccurts administrator. Planners should consider the installation of a management informations system for courts, alternative means of measuring and equalizing workload among trial judges, and methods of providing administrative, research, and social services support to courts in areas where the need is established.

WORKLOAD: Alternative means of measuring and qualizing workload among trial judges should be explored by a courts planning unit. After investigation, the unit should recommend the most feasible options to the supreme court and a courts administrator.

The salaries of justices and judges at all levels should be substantially increased. For appellate and trial justices and judges, an appropriate frame of reference is the salary scale for comparable judicial officers in the federal system. Financial responsibility for the expenses of administering, operating, and maintaining district courts should be entirely assumed by the state and included in legislative budgeting and appropriation. Lower court costs should be borne by the state or shared with counties, cities, and towns. Compensation should be increased to levels competitive with private business or professional practice for lower court judges, clerks of court and other clerical and administrative and clerical personnel, bailiffs, jurors, and witnesses.

> OPERATING STANDARDS: Salary levels should be substantially increased for all courts personnel, with special attention to those of appellate and trial justices and judges.

If the clerk of the supreme court and the clerks of the district courts continue to be elected to office, legislation should be adopted bringing them under the supervisory authority of the chief justice of the supreme court and the respective district court judges.

> Clerks of court should be under the supervisory authority of the justice or judge to whose court they are attached.

Serious and detailed consideration should be given by representatives of the judiciary, the legislature, and/or a courts planning unit to (1) modifications of and more uniformity in sentencing practices and possibilities, including restitution options, (2) the creation of a single level of trial courts with those lower court functions that are non-criminal in nature performed by magistrates appointed by trial judges, (3) requiring lower courts to be courts of record, with appeals from lower courts becoming appeals on the record rather than trials de novo, (4) the institution of shorter and more frequent jury terms on a state-wide basis, (5) standardization of procedures in misdemeanor prosecutions, and (6) uniform judicial review of the acceptability of a negotiated plea.

Sentencing practices should be reviewed with a view toward (1) separating adjudication for guilt from decisions about institutionalization, (2) uniformity or equalization, (3) increasing possible options.
Lower courts should be courts of record.
Jury terms should generally be shorter and more frequent. Procedures in misdemeanor prosecutions should be standardized.
There should be uniform judicial review of the acceptability of a negotiated plea.

Although Montana has taken major steps toward professionalizing criminal prosecution in the more urban areas, there should be a continuation and expansion of programs and legislation leading to the establishment of full-time career prosecutors' offices where needed. Technical assistance and improved in-service training should be available to part-time county attorneys as a part of a recognition of diverse prosecutorial needs in different counties or regions in the state. Career deputies specializing in criminal prosecution and diversion should be encouraged in counties with relatively heavy criminal caseloads by increasing salaries and tenure commensurate with qualifications and performance.

In urban counties, investigators and specialists in consumer law and economic crime should be a part of the criminal division of the county attorney's office. For more rural areas with part-time county attorneys, the state, perhaps operating through the county attorney training coordinator and/or the state crime lab, should provide a central pool of technical assistance and expertise which could be drawn upon as needed. Law interns should be available to supplement the workforce of rural as well as urban county attorneys.

MANPOWER: A central pool of investigators, technicians, researchers, and experts should be made available by the state to county attorneys in rural areas.
In urban counties, the employment of full-time career deputies specializing in criminal prosecution should be encouraged.

Regular and more frequent in-service training sessions should be adapted to the needs of experienced and inexperienced, part-time and full-time county attorneys. The recently established office of the county attorney training coordinator has initiated training programs, chiefly in conjunction with the annual meeting of the county attorneys' association.

Additional, perhaps quarterly, regional workshops should deal with such topics as investigatory and trial techniques for prosecutors, public relations, interpretation and enforcement of new legislation and case law, and technical assistance and resources available. Special attention should be given to the management of problems in juvenile justice.

TRAINING: Additional in-service training sessions on a regional, quarterly basis should be instituted and adapted to the particular needs of county attorneys in the area.

Prosecutors should establish open, regular, and direct avenues of communication and liaison with the personnel of law enforcement agencies, the press, the county commissioners, and the public. The key to community education and improved relations with law enforcement personnel should be full disclosure and explanation of the prosecutorial function. This is especially true in those areas where county attorneys conduct planned or ad hoc programs of deferred prosecution or other forms of screening and diversion. Community participation both professional and volunteer, should be enlisted in screening and diversion of criminal defendants. If plea bargaining is continued in those counties where it is standard procedure, the rationale and uses of pleading down to reduced charges should be fully explained, and each bargained agreement should be accomplished with all appropriate participation of the defendant, his counsel, and the presiding judge.

Through a continuation of internship programs, law students should be introduced to the field of criminal prosecution. As an aid to legal education, the internships create an awareness of the practical operation of criminal law and procedure and encourage at least some of the interns to consider a career in prosecution.

EDUCATION: Prosecutors should establish open, regular, and direct avenues of communication and liaison with law enforcement personnel, the press, the county commissioners, and the public.
Internships for law students with county attorneys should be continued and encouraged.

Each attorney in the prosecutor's office should have a private office. There should also be adequate storage space for files, a comfortable reception area, space for clerical help, and a separate library and conference room. Part-time county attorneys should maintain a separate office for private practice, outside the courthouse, and should keep regular hours in the courthouse office.

Although a useful brief bank has been begun by the county attorney training coordinator, available research resources should be expanded. Prosecutors should have access to a legal research center provided by the state, including a computer terminal and a full law library. Such a center is described above, in the discussion of equipment and facilities needs of courts and judges.

EQUIPMENT AND FACILITIES: Each attorney in a county attorney's office should have a private office. There should also be adequate clerical, storage, and conference space.
Each county attorney should have immediate access to a central legal research service.

Efficiency of county attorneys' offices should be increased by the use of standard office management practices. Recordkeeping procedures should be uniform throughout the state, and public files should not be intermingled with those arising from the attorney's private practice. In offices employing more than one lawyer, there should be a division of responsibilities into civil/criminal, trial/research, etc., wherever such division would be appropriate and would add to the effectiveness of the total operation.

As a rule of thumb, in any county where there is an average of 50 felony cases or more annually, the county attorney should be full-time and should not engage in private practice. If the workload in any county increases beyond the suggested 150 felony, 400 misdemeanor a year maximum, additional full-time prosecutors should be employed despite the presence of part-time deputies.

WORKLOAD: The efficiency of county attorneys' office management practices and of uniform record-keeping procedures.
At least one full-time prosecutor should be employed by any county where the caseload includes 50 felonies or more per year.

Where plea bargaining is not abolished altogether, prosecutors should avoid over-charging as to number of counts or degree of offense. As noted above, any plea bargaining should be accompanied by full disclosure, and should never occur in the absence of counsel for the defense.

A prosecutor should be consulted by law enforcement personnel before a request is made for the issuance of a warrant for arrest or search within his jurisdiction and the prosecutor approval should be gained prior to request.

Each county attorney's office should establish criteria for screening and diversion of offenders and should formulate a standard procedure for diversion. Both the criteria and the procedure for diversion should be made known to assistants, law enforcement personnel, and the public.

OPERATING STANDARDS: Where plea bargaining continues to be practiced, prosecutors should avoid over-charging as to number of counts or degree of offense. Any plea bargaining should be accompanied by full disclosure to all interested parties, and they should concur in any agreement.
Each county attorney's office should establish criteria for screening and diversion of offenders and should formulate a standard procedure for diversion.

DEFENSE

The legislature should establish a statewide defender system, possibly to be combined with existing legal aid services. Full-time public defenders should be assigned to judicial districts with relatively heavy criminal caseload.

The public defender system should be supervised by a representative advisory council. Appointment of lawyers as full-time defenders should be among the responsibilities of the Judicial Nominations Commission. The commission would fill each vacancy by offering a list of 3 to 5 names to the governor, who would appoint one of the nominated persons. Salaries should be competitive with private legal practice, and the term of appointments should be 4 years.

A public defender system should have access to a central pool of investigators and other specialists. Adequate research, administrative and clerical assistance should be provided. Law student interns should be able to participate in the system. The state defender office should compile a list of private attorneys available for criminal defense assignments in those judicial districts where there are no public defender offices and should assign each counsel as needed. The system's budget should include amounts needed for adequate, standardized payment of assigned private counsel.

MANPOWER: A statewide system of full-time district defenders should be established.
The defender system should be supplied with technical, research, administrative, and clerical assistance.
The defender system should be responsible for the assignment of private defense counsel in those areas without public defender offices.

The defender system, in cooperation with the newly-formed defense attorneys' association, should institute a program of in-service training for public defenders and lawyers who accept criminal defense assignments. Such training sessions should be conducted quarterly on a regional basis and should include workshops on trial techniques, updating in criminal law and procedure, office management for defenders, technical assistance and resources available, etc. Special attention should be given to juvenile defense and representation of the indigent in commitment proceedings.

TRAINING: Working with the defense attorneys' association, the defender system should initiate a program of in-service training in criminal defense resources and techniques.

OPERATING STANDARDS: Any plea negotiations should be conducted with the full participation of defense counsel, whose consent to any agreement should be required.

Public defenders should be available to indigent offenders prior to their initial court appearance. Representation should be provisionally permissible for all accused persons who claim to be indigent, with an indigency determination following the defender's initial contact with a prospective client.

Standard procedures should be followed in indigency determinations.

Public defenders should be employed by the state. They should be full-time professionals, serving a fixed term at a salary competitive with private legal practice.

For reasons of efficiency, economy, and convenience, the public defender system and its district offices should share physical facilities and eqquipment with legal aid services. District offices should be near or in courthouses, and should include private offices for each attorney and adequate space for files, clerical and administrative functions, and storage. The defender system and legal aid services should have equal access to a central legal research center, as described in other sections of a potential justice system.

EQUIPMENT AND FACILITIES: The public defender system and its district offices should share physical facilities and equipment with legal aid services, and the facilities and equipment of both should be upgraded.

District defender workload should be studied on the basis of uniform record-keeping and reporting, and workload standards and criteria should be set in conformity with national standards and goals for public defense. Defender offices should institute standard office management practices and should divide responsibilities among attorneys in the most efficient and effective fashion.

WORKLOAD: Defender workload should be analyzed on a basis of reliable data and standards should be adopted in keeping with national and/or state standards and goals.

Public defenders should participate in criminal justice planning. The role of the public defender in the criminal justice system should be a subject of community education, and an understanding of defense functions and procedures should be conveyed to law enforcement personnel and the public.

SERVICES AND EDUCATION: A public defender should assist the public, law enforcement personnel, and his support staff in understanding the defense role in the criminal justice system and he should participate in criminal justice planning.

COMPLIANCE WITH STANDARDS AND GOALS

The following standards set by the National Advisory Council on Criminal Justice Standards and Goals are being at least partially met by Montana courts, prosecution, and defense.

MANPOWER	7.1 Judicial Selection
	7.2 Judicial Tenure
	7.4 Judicial Discipline and Removal
	9.1 State Court Administrator (position established, appointment not yet made)
	10.4 Representativeness of Court Personnel
	12.1 Professional Standards for the Chief Prosecuting Officer
	12.8 The Prosecutor's Investigative Role
TRAINING:	12.5 Education of Professional Personnel
FACILITIES:	10.1 Courthouse Physical Facilities
WORKLOADS:	9.4 Caseflow Management

OPERATING STANDARDS:

1.1 Criteria for Screening
2.1 General Criteria for Diversion
2.2 Procedure for Diversion Programs (one county on special project basis)
3.2 Record of Plea and Agreement
3.4 Time Limit on Plea Negotiations
3.5 Representation by Counsel during Plea Negotiations
3.6 Prohibited Prosecutorial Inducements to Enter a Plea of Guilty
3.7 Acceptability of a Negotiated Guilty Plea
4.1 Time Frame for Prompt Processing of Criminal Cases
4.3 Procedure in Misdemeanor Prosecutions
4.4 Limitation of Grand Jury Functions
4.5 Presentation before Judicial Officer Following Arrest
4.6 Pre-Trial Release
4.8 Preliminary Hearing and Arraignment
4.9 Pre-Trial Discovery
4.10 Pre-Trial Motions and Conference
4.11 Priority Case Scheduling
4.14 Jury Size and Composition
5.1 The Court's Role in Sentencing
6.1 Unified Review Proceeding
6.8 Exceptional Circumstances Justifying Further Review
10.6 Production of Witnesses
10.7 Compensation of Witnesses
13.1 Availability of Publicly Financed Representation in Criminal Cases
13.3 Initial Contact with Client
13.4 Public Representation of Convicted Offenders

SERVICES:

10.5 Participation in Criminal Justice Planning
12.4 Statewide Organization of Prosecutors

Discussion of an improved potential correctional system must start with a determination of what we want the system to do. Existing philosophies are punishment, deterrence, or rehabilitation. Each has its advocates. In the past, the mistake has been to choose one of these philosophies as a panacea for all correctional cases.

A truly ideal system does not rest upon a revolutionary philosophy but rather upon a combination of the three existing philosophies; punishment, deterrence, and rehabilitation. Each must be available from the standpoint of the consumer and the most suitable mode of treatment diagnosed and applied to the individual offender.

Therefore, the purpose of the adult correctional system is not simply to punish, deter, or rehabilitate but to modify the offender's behavior to a socially acceptable level.

The determination of guilt officially admits an individual to the correctional process. Although many believe correction begins with arrest deviant behavior has not been established at that point, so no modification is justified.

Upon determination of guilt and prior to imposition of sentence, the offender should be sent to a diagnostic testing and evaluation center to determine proper treatment. Such a center must accept each convicted felon and be capable of meticulous medical, psychological, and psychiatric evaluation by a professional staff. Outside data such as court observations, criminal history, and any field investigation might also be used by the staff in preparing recommendations for treatment to a sentencing and review authority.

The sentencing and sentence review authority should be made up of those persons best able to determine the needs of the offender. A minimum of three persons is needed for the sentencing authority: (1) the trial judge; (2) the director of the diagnostic testing and evaluation center; and, (3) the director of the Department of Institutions, which would be responsible for every convicted felon.

The sentencing authority would have many options. Taking all available information into consideration, it may release the offender, or proceed with any of the following alternatives:

1. Defer prosecution;
2. Defer imposition of sentence;
3. Establish probationary period;
4. Sentence to a community correctional facility;
5. Sentence to another facility such as the the state hospital;
6. Sentence to the Montana State Prison; or,
7. Sentence to execution.

Community manpower and rehabilitation programs would be provided as auxiliary services to probationers or inmates of a community treatment center. All three philosophies, punishment, deterrence, and rehabilitation, are included among the treatment options.

While the majority of offenders return to the street, not all will. A certain percentage of those convicted will, by necessity, be permanently incarcerated or executed.

In this potential system, the sentencing authority would assume responsibility for the functions currently performed by the Board of Pardons. Responsibility for the field services now provided by the Board of Pardons staff as well as for all modes of correctional treatment would be assumed by a division of corrections within the Department of Institutions.

To reiterate, some correctional administrators believe corrections in the community is the only possibility for success and others see long prison terms as a solution. Each existing philosophy and treatment mode is effective for certain offenders.

The improved system would incorporate the existing system but add diagnosis as the initial step in determining individualized corrections.

The following sections outline the incorporation of the existing system into the development of any potential system.

Montana State Prison

The diagnostic testing and evaluation center should be housed at the Montana State Prison in Deer Lodge. Each convicted felon should be committed to the center for a 30 to 60 day evaluation. Locating the center at the new prison site near Rothe Hall would allow the professional staff to draw upon the resources of the nearby state hospital in Warm Springs and the University of Montana in Missoula. The prison will be a major part of the correctional effort with related programs being coordinated from that point. The sentencing and sentence review authority should meet at the Rothe Hall site on a regular basis.

The old maximum security prison in downtown Deer Lodge will be abandoned and the central prison administration and operation moved to the ranch area. Facilities at the ranch area must include maximum, medium and perhaps some minimum security areas. Facilities designed specifically for women offenders, the criminally insane, or the compulsive offender need not be included at this site as such offenders are few and may be adequately handled by interstate compactual agreement or other contractual arrangement.

Manpower needs at the central institution will require a 4 to 1 ratio of inmates to correctional officers. The officers must meet minimum standards for qualification established by a Correctional Officers Standards and Training (C.O.S.T.) committee. After introductory training, a continuing education program must be provided and required.

In addition to the facilities mentioned and inmate living quarters, facilities and equipment for academic and vocational education should be provided.

The institution as described above is in compliance with standard 11.2 (modification of existing institutions) set by the National Advisory Commission on Criminal Justice Standards and Goals. It will also comply with standards 2.5 (Healthful surroundings), 2.6 (medical care), 6.2 (classification), and 11.4 (education and vocational training).

Board of Pardons

The functions currently performed by the Board of Pardons, as mentioned previously, would be assumed by the sentence and sentence review authority. That authority would be separate from correction services (a function currently performed by the field staff of the Board of Pardons). The authority would be composed of three full-time members, autonomous in their decision making but limited to conducting ten classification or re-classification hearings in one day.

The field treatment section would be a function of the division of corrections. The field service personnel would serve as a coordinator of community services as jailer, and as advocate to the offender. The community service officer in the community will wear many hats but have only one purpose: to accept responsibility for the offender in the community and to exercise his authority over the person assigned to him to insure the best interests of society and the client.

The Division of Corrections will have responsibility for felons incarcerated in the local jail and will determine standards for operation and procedures to be implemented by the community service officer, who will be responsible for a staff providing rehabilitative services. No staff member will have a caseload of over 35 persons.

Corrections in the Community

Ideally each community should have a center specifically designed to treat the needs of each offender and to utilize auxiliary skills available in the community. This could include everything from detention to psychological treatment, medical services, education and training opportunities, social welfare services, and employment security.

Obviously, cost will limit construction of such a center to just a few localities. The alternative is to coordinate these services which are available in most communities. This coordination should become the direct responsibility of the Division of Corrections.

Facilities and services available in the community must be utilized at every phase of the correctional effort from pre-institutionalization to strict incarceration through a gradual release procedure.

MANPOWER: Increase supervision. Decrease prison manpower. Add regional community services officers.

In an improved system it is essential that the manpower of the adult parole authority be increased so that no one individual has a caseload of more than 35 persons or more than 50 units. (One person equals one unit and one pre-sentence investigation equals 5 units). More ideally separate individuals should do pre-sentence investigations.

Existing manpower at the state prison must be re-distributed. The ratio may be effectively reduced to an overall ratio of one employee to 4 inmates, but could vary in special circumstances.

Regional community services officers must be added to assume responsibility for all convicted offenders within a planning region. Those officers will be employees of the Division of Corrections.

TRAINING: A correctional officers standards and training council should be established to set minimum qualifications for employment in the correctional system. The committee should determine basic and on-going in-service training needs.

A minimum of 80 hours basic and 40 hours of continuing training must be completed annually in order to keep up with the changes and new techniques in the field.

EDUCATION: Establish three levels of educational requirements: correctional officers, no educational requirement; community services regional chief, minimum of B.A.; diagnostic and special treatment personnel, must be qualified and licensed in profession.

The correctional officers, or guards, do not need to meet specific educational requirements to be eligible for a position. However they must have a sincere interest and be trainable. Incentives should be added to encourage further formal education.

The regional community services officer should have a minimum of a Bachelor's Degree in the behavioral sciences and preferably additional education and experience.

The professional staff making up the diagnostic and testing function must be qualified and licensed in their respective professions such as M.D., Ph.D., etc.

> EQUIPMENT: Provide some voc-ed equipment at the prison. Provide extensive, highly-specialized equipment at the diagnosis and evaluation center.

The improved corrections system will not require a great deal of equipment because of the community emphasis. While vocational educational equipment will be needed at the prison, adequate equipment already is available in many communities.

Specialized equipment will be needed for the testing and evaluation center.

> FACILITIES: The potential system requires both a central facility and auxiliary facilities throughout the regions and individual communities.

Facilities for Montana's improved system center around a new central institution at Deer Lodge which will house the evaluation and classification service. From that point, the offenders will be transferred to treatment programs most suited to his needs and the needs of society.

Ideally, the established planning regions throughout the state should identify facilities to meet the needs of the individual in all steps of the correctional process.

Each community must have temporary holding facilities which should be used only for pre-trial detention and not be considered a part of the correctional environment.

Workload has a direct relation to manpower. As the manpower is increased in field services, the individual workload will decrease. In the potential system, community or field service personnel in each region should not handle more than 35 individual caseloads.

> WORKLOADS: Parole officer workloads must be reduced. Prison personnel must be reassigned and workloads redistributed. Community auxiliary assistance should be increased to reduce professional staff workload.

Through use of more modern techniques of detention security, the size of the prison staff may be changed to a 1:4 ratio of guards to inmates without any noticeable effects on custody or security.

Utilization of citizen resources in the community will greatly reduce the workload of those currently employed by the system. Volunteer and related service efforts should be expanded to provide maximum service at least possible workload.

OPERATING STANDARDS: Establishment of the Department of Corrections.

There must be established, before 1983, either a Department of Corrections or a division of corrections within the Department of Institutions. The department or division will establish and implement the policy for the administration and operation of the correctional system and its employees throughout the state.

Correctional standards and goals will be the responsibility of the corrections division and its administrator.

SERVICES OFFERED: The improved potential system will provide protection for society, reintegration for the rehabilitated offender and a total reduction in recidivism.

In a small percentage of cases detention, or removal of the offender from the public, is a service necessary for the protection of society.

By far the major service to be provided is the habilitation, rehabilitation, and reintegration of the offender into society. Specific and broad-spectrum treatment should be provided the offender and ex-offender to accomplish this goal, as well as the ultimate goal of reducing or eliminating recidivism.

Existing services available from federal, state, and private agencies should be augmented by citizen and volunteer effort.

The public has shown an interest in helping find more effective programs of rehabilitation. Civic clubs such as the Chamber of Commerce have established rehabilitation programs within the community and many individuals have volunteered to work with court and parole authorities.

The ideal corrections system can gain two benefits by promoting citizen involvement in corrections: (1) additional manpower to provide auxiliary rehabilitative services within the community, and, (2) acceptance of the rehabilitated offender back into the community. Both benefits should result in decreased recidivism.

The community service officer or a member of his staff should accept a leadership role in promoting public involvement in corrections.

It should be a policy of the state corrections system to foster and give direction to citizens interested in working with community corrections.

In order to incorporate liaison work into regular duties, the staff of the corrections system should include personnel trained in public relations.

INFORMATION SYSTEMS: Establish correctional records information system.

A correctional records information systems must be established by 1983. The system must have storage and retrieval capabilities for past and current criminal histories.

Auxiliary rehabilitative services which may be offered include:

(1) Alcohol and drug counseling.
(2) Tutoring and educational assistance - including both vocational training and personal growth skills (such as budgeting, leadership training, etc.)
(3) Employment programs including special public and private work programs.
(4) Crisis intervention assistance.

These programs should, as an off-shoot of involvement, promote acceptance of the offender by the community.

Additionally, broad-based public education programs should be undertaken to break down prejudice in employing, housing, and accepting rehabilitated offenders in the community. Religious and business groups should be encouraged to undertake such programs and to seek employment or provide counseling for ex-offenders whenever possible. It should be realized that religious and business groups may be more successful in helping offenders to find housing and to break down social barriers than correctional system personnel. Auxiliary services provided by volunteers will play a large part in reducing workloads of overburdened field service personnel.

Information would also be used by personnel at the testing and evaluation center in diagnosis. The information system would include data to locate persons within the system at any given time.

Finally, the correctional records information system will be used extensively for evaluation of previous, ongoing and future programs.

The proposed system would support the proposed division of corrections. It would contain custody status of both juveniles and adults, a case history file of persons currently in the system (including official information, personal, and historical) and data to support administrative and management needs. An evaluation component would also be available.

A dedicated computer complex located at division headquarters would serve the needs of the division of corrections. Assuming that such a division had jurisdiction and responsibility for the control and rehabilitation of all persons convicted and sentenced, it should have several systems to support its activities.

Available information on file should include: a custodial status file indicating the status and movement of all individuals being handled by the system; a file permitting development of individual case histories; a four-part file containing official information, personal data, historical data, and experience data; and data available to assist administration and management in operations.

COMPLIANCE WITH STANDARDS AND GOALS

The following standards identified by the National Advisory Council on Standards and Goals in the report, "Corrections" are being at least partially satisfied in the current correctional system.

MANPOWER:	14.1	Recruitment of Correctional Staff
	14.2	Recruitment from Minority Groups
	14.4	Employment of Ex-Offenders
	14.5	Employment of Volunteers
	14.10	Intern and Work-Study Programs
	14.11	Staff Development
TRAINING:	9.6	Staffing Patterns
	13.1	Professional Correctional Management
	14.7	Participatory Management
	11.4	Education & Vocational Training
	11.10	Prison Labor & Industries
EDUCATION:	9.6	Staffing Patterns
	14.9	Coordinated State Plan for Criminal Justice Education
	14.10	Intern and Work-Study Programs
	16.5	Recruiting & Retaining Professional Personnel
	11.4	Education & Vocational Training
EQUIPMENT:	11.2	Modification of Existing Institutions
FACILITIES:	4.2	Construction Policy for Pre-trial Detention Facilities
	9.3	State Inspection of Local Facilities
	9.10	Local Facility Evaluation & Planning
	11.1	Planning New Correctional Institutions
	11.2	Modification of Existing Institutions
	16.14	Community-Based Programs
WORKLOADS:	13.1	Professional Correctional Management
	13.4	Work Stoppages & Job Actions
	14.1	Recruitment of Correctional Staff
	14.6	Personnel Practices for Retaining Staff

OPERATING STANDARDS:	9.1	Total System Planning
	11.1	Planning New Correctional Institutions
	12.1	Organization of Paroling Authorities
	16.1	Comprehensive Correctional Legislation
SERVICES:	3.1	Use of Diversion
	7.1	Development Plan for Community-Based Alternatives to Confinement
	10.2	Services to Probationers
	12.6	Community Services for Parolees
	16.14	Community-Based Programs
INFORMATION SYSTEMS:	6.3	Expansion of Corrections Data Base
	6.4	Offender Statistical Data
	6.6	Corrections Experience Data
	6.1	Comprehensive Classificiation Systems
	15.1	State Correctional Information Systems
	15.3	Design Characteristics of a Correctional Information System
	15.4	Development of a Correctional Data Base

Although the juvenile offender is largely handled by the same system that processes the adult offender, by law and general practice that system makes special provision for youth.

The ideal criminal justice system would also make special provisions for the handling and rehabilitation of delinquent youth.

The following sections identify these provisions.

The Police

> MANPOWER: Each law enforcement agency should have a juvenile division or a minimum of one juvenile officer. As part of his regular duties he should coordinate the juvenile service activities of the department and serve as liaison to related juvenile programs operating in the community.

To insure a consistent method of handling juveniles by law enforcement agencies, each law enforcement agency should support a division for processing juveniles.

In departments with more than 10 men, the division would have at least one full-time employee.

In law enforcement agencies with fewer than 10 persons, the division could be supported by an officer assigned on a part-time basis. In either instance, all handling of juveniles would be channeled through the juvenile division.

> TRAINING: Juvenile law enforcement officers should receive a minimum of 20 hours specialized training annually.

Because of the rapidly changing nature of the field of juvenile justice, special training in this area is vital. Most needed training could be provided through the Montana Law Enforcement Academy. Monetary rewards of the completion of training should be offered.

Training would address the law enforcement officers' role in the juvenile justice system including the law, methods of dealing with juveniles, the community resources available to juveniles, and general education on the philosophy of juvenile court.

EDUCATION: Juvenile officers would require P.O.S.T. certification.

Full-time officers would be required to have graduated from the Delinquency Control Institute of the University of Southern California. Officers in support positions would need a minimum of 40 hours in basic juvenile delinquency school from MLEA.

FACILITIES: Short term shelter-care facilities should be developed as an alternative to holding juveniles in jail. By 1980 facilities should adequate enough to provide care for all youth in need of supervision.

The major emphasis in the development of facilities for juveniles should be on the creation of alternatives to local detention. The large number of juveniles detained each year (15 to 20 percent of court referrals) and the poor physical condition of local facilities make this a primary concern.

These facilities should have the primary purpose of providing shelter care for youth who are a danger to themselves or society. The facilities should also provide for those youth in a crisis situation who cannot immediately return to their normal living situations. The facility may house a diagnostic component that would serve as an intake unit to the juvenile court.

Foster care programs must be developed, but the emphasis in this area should be on quality rather than quantity. Careful screening procedures must be developed prior to placing a child in a group or individual foster home.

Youth in need of supervision, as defined by the Montana Youth Act, are those youth charged with offenses which would not be considered criminal if committed by an adult. These children are generally not a danger to the community, and should be held in local jails.

> OPERATING STANDARDS: Procedures defined in the Montana Youth Act would serve as the basis for development of operating standards.

The police agencies ought to have an established policy for handling complaints about juveniles and resulting apprehensions. This policy should be public and publicized.

> SERVICES OFFERED: Programs should be developed in each law enforcement agency to increase positive contact between youth and officers.

Each law enforcement agency should encourage officers to become actively involved in religious, educational, recreational and employment programs related to youth services offered by law enforcement agencies.

Each law enforcement agency should take an aggressive role in establishing and maintaining education programs for juveniles and adults to reduce juvenile delinquency. Programs aimed at children should seek the cooperation of schools, religious groups, and civic organizations. Programs aimed at adults should coordinate services with resources of existing community organizations.

Whenever possible, law enforcement agencies or individual officers should participate in programs which bring them into positive contact with the community's youth. Such programs may include sports, recreation, counseling, or personal development activities.

MANPOWER: Each judicial district should have an adequate juvenile probation staff.

Probation officers serve as an arm of the court and perform duties as prescribed in the Montana Youth Court Act.

As a regular part of their duties the officers should encourage development of, and community support for, auxiliary juvenile rehabilitative services, education and employment programs, and delinquency prevention programs.

A state court administrator should be employed to assist juvenile courts and provide liaison to the state correction system.

The position of juvenile probation in government structure varies considerably from state to state. The controversy centers on two main issues: Whether probation should be part of the judicial or executive branch of government, or whether it should be administered by state or local courts.

The following reasons are given for placing juvenile probation under the jurisdiction of the local courts within our ideal system.

1. Probation would be more responsive to the courts;
2. The proximity of the probation staff and the courts allows easy evaluation of the effectiveness of dispositions;
3. Juvenile courts rely on local funding to support the bulk of their treatment programs;
4. The court has more prestige and political power in the community than does a similar state agency. This stimulates the development of community-based programs;
5. A system based on local control allows more flexibility for the system and the youth it serves.

To tie the juvenile courts to the state correctional system, a state juvenile court administrator should be employed. This will permit total system planning. The state court administrator also would be responsible for developing education and training programs for juvenile courts, for administering state assistance to juvenile courts, for development and collection of data regarding the performance of probation departments for evaluation of the performance of probation officers, and for developing legislation regarding juvenile courts.

The most critical part of any correction system is the availability of supportive services (mental health, schools, unemployment programs), which must be available and adequate to provide services to corrections. Supportive services may include having a corrections oriented worker within each mental health clinic, alternative school programs, and special employment programs for youth.

TRAINING: The state court administrator should provide minimum annual training of 40 hours for juvenile service officers and 16 hours annually for juvenile judges.
EDUCATION: A bachelor's degree in human or social sciences should be a minimum standard for all personnel in juvenile work. Stipend programs should be developed to encourage continuing education for all juvenile justice employees.

There is critical lack of relevant education among corrections personnel. The need for educated personnel has increased with the changes in corrections. Educational standards of the '60's will not suffice in the '70's.

EQUIPMENT: All district court and field personnel should have adequate office equipment and staff to handle routine office work. Videotape equipment should be accessible for training, counseling, and public information work.

FACILITIES: The youth guidance home system, foster care, and group home programs should be expanded to provide each officer with alternatives to committing a juvenile to institutional care.

A statewide plan for alternative family living should be developed. This plan would include standards and guidelines for the development of group and individual foster care programs. It would also provide statewide direction for the geographic distribution of these facilities.

OPERATING STANDARDS: The Montana Youth Act will establish operating standards for the entire juvenile justice system.

SERVICES OFFERED: The Juvenile Service Officer should take an aggressive role in promoting awareness of juvenile delinquency problems and involving the community in finding preventive and curative techniques.

Regular duties should include:

1. Liaison with schools, other service agencies, religious, business, and civic groups interested in reducing or preventing juvenile delinquency;

2. An aggressive role in establishing and maintaining emergency and foster care, public and private employment, auxiliary education and counseling programs for juveniles;

3. Coordination with local law enforcement agencies in juvenile-related, public-education programs;

4. Development of a volunteer program providing one-to-one relationships and other services to the court; and,

5. Special counseling programs providing intensive supervision for seriously troubled youth.

INFORMATION SYSTEMS: Those working with juveniles (judges, juvenile probation officers, aftercare personnel and others) should have access to a case monitoring capability that would provide for accumulating background information as well as recording contacts and case programs. This system would provide the necessary information for an evaluation program.

As with other parts of the criminal justice system, the juvenile justice system would benefit from expanded information systems, such as a case monitoring system that would permit recording basic data on each juvenile handled by a probation officer as well as contact, programatic, and progress data.

A second basic need is to provide an evaluation capability to effectively use the statistical information currently collected and the information that would be collected as part of the case monitoring system. Programs used to assist juveniles in the system should be constantly evaluated to insure their effectiveness.

The juvenile systems would be contained in separate files in the central Helena complex (see page 206) and except for research purposes accessible only to a limited number of personnel in the criminal justice system.

Corrections

The Juvenile Probation Officer will work within the community to develop and sustain juvenile programs and community resources to avoid the need to institutionalize juveniles. The officer will be the key man in the community to coordinate available services and to work with the Division of Corrections in rehabilitation. Juveniles judged not rehabilitatible within the community will be turned over to a state Division of Corrections for treatment.

MANPOWER: Each of the juvenile institutions should have staff adequate to provide counseling, psychological, educational, and vocational services to the juveniles.

The Division of Corrections should have manpower to provide education and training programs for its employees.

The Division also should have additional manpower to supervise community-based treatment projects such as the District Youth Guidance Home program.

TRAINING: The Division of Corrections should provide a minimum of 40 hours annually to each of its employees in handling juvenile cases.
EDUCATION: As with juvenile courts, a bachelor's degree in the human or social sciences should be required of all personnel working with juveniles in a counseling capacity.
EQUIPMENT: Juvenile institutions will need equipment to insure that mental, physical and emotional growth needs of juveniles are met.
FACILITIES: A diagnostic and testing center for disturbed youth and short-intensive counseling facility should be a part of the ideal juvenile corrections system. The state should maintain one treatment facility for youths who cannot be treated within the home community. The Division of Corrections should develop a realistic plan for reducing the number of residential institutions for troubled youth.
SERVICES OFFERED: The Community Service Officer and the Division of Corrections should work with civic, religious, school, and business organizations to promote acceptance of the juvenile returning to the community from the institution.

Education: Programs must be developed in our education system to serve problem children. These should include attendance officers available to each school district; alternative education programs for youth who cannot function in the normal school setting, lowered age requirements for taking the GED, and expanded availability of vocational-technical training.

Employment: Older youths and drop-outs would benefit from union cooperative employment programs and job banks.

Medical: The role medical problems play in deviant behavior must be considered. Each community should offer eye care and dental care to all youth, tatoo removal and cosmetic surgery through corrections agencies, medical assistance for drug and sex-related problems.

Mental Health: Each mental health region should develop a forensics division.

Public Awareness: Community programs must be developed to inform the communities about its youth problems. Youth advocacy programs should be developed to give youth a voice in government and volunteer programs should be developed in all areas of youth services.

SECTION J: THE MULTI-YEAR PLAN

MULTI-YEAR BUDGET FOR ACTION PROGRAMS

		1976	1977	1978
MANPOWER				
A1	Replacement Manpower	11,000	11,000	11,000
A2	Post-Graduate Employment	79,000	60,000	55,000
A3	Juvenile Probation	48,000	40,000	32,000
A5	Clinical Services	70,000	70,000	70,000
A7	Volunteer Aux. Police	9,000	5,000	3,000
A9	Corrections Administrator	27,000	-0-	-0-
A10	Courts Coordinator	27,000	-0-	-0-
	TOTAL	271,000	186,000	171,000
TRAINING				
B1	Montana Law Enforcement Academy	80,000	-0-	-0-
B3	Peace Officers Standards & Training	16,000	-0-	-0-
B4	Out-of-State	20,000	25,000	30,000
B6	Corrections Officers Standards & Training	10,000	15,000	20,000
B7	Juvenile Probation In-Service	45,000	50,000	50,000
B8	Judicial Conference	6,000	6,000	6,000
B9	County Attorney In-State	10,000	10,000	10,000
B10	Clerks of Court	900	1,000	1,000
B12	City Judge Seminar	6,500	10,000	10,000
B13	Judges Juvenile Justice	15,000	10,000	10,000
	TOTAL	209,400	127,000	137,000
EDUCATION				
C2	Public Education	25,000	25,000	25,000
C3	C.J.S. Interns	51,000	60,000	50,000
C4	Post-Secondary/Inmates	10,000	10,000	-0-
	TOTAL	86,000	95,000	75,000
EQUIPMENT				
D1	Equipment	70,000	50,000	50,000
D3	Crime Lab Equipment	500	-0-	-0-
	TOTAL	70,500	50,000	50,000

		1976	1977	1978
FACILITIES				
E3	Courts	20,000	30,000	40,000
E4	Juvenile Receiving Center	40,000	200,000	200,000
E5	Local Jails	90,000	100,000	100,000
	TOTAL	150,000	330,000	340,000
WORKLOADS				
F3	CJS Workload	5,000	10,000	10,000
	TOTAL	5,000	10,000	10,000
OPERATING STANDARDS				
G1	Consolidation/S.I.P.	277,600	300,000	300,000
G2	Target-Crime Areas	370,000	420,000	500,000
G3	Supreme Court Study/Evidence	10,000	-0-	-0-
G5	Victimization Study	20,000	-0-	-0-
	TOTAL	677,600	720,000	800,000
SERVICES				
H1	Community Awareness C.J.A.	20,000	25,000	30,000
H2	Juvenile Intensive Counseling	10,000	10,000	10,000
H4	Court Diversion	10,000	30,000	40,000
	TOTAL	40,000	65,000	80,000
INFORMATION SERVICES				
I1	C.J.S. Information System	40,000	40,000	40,000
I2	Communications	88,500	75,000	75,000
I3	L.E.T.S.	50,000	-0-	-0-
I4	Statewide C.J.S. Information Services	150,000	200,000	200,000
I5	Juvenile Information	20,000	-0-	-0-
	TOTAL	348,500	315,000	315,000
	GRAND TOTAL	1,858,000	1,898,000	1,978,000
PART E				
For Juvenile Delinquents (Adjudicated) Programs Only		200,000		
	GRAND TOTAL	2,058,000		

Police

GENERAL STATEMENT AND FORECAST:

In most Montana towns, the only social services agency accessible 24 hours each day is the municipal police or the sheriff's office. Consequently, the public relies on the police for assistance in all emergencies. The amount and variety of services requested often means overwork to police officers. Sworn officers are diverted from criminal investigation to perform civil or routine duties.

The duplication of services, facilities and support systems among sheriff and police agencies also contributes to ineffective use of manpower.

Law enforcement undoubtedly needs additional manpower. Of Montana's 56 counties, 46 do not have 10 or more sworn officers to provide 24 hour service.

Within individual agencies, fragmented and unequal employment practices, coupled with inadequate salaries, cause major problems in attracting and keeping qualified officers.

The solution to law enforcement's manpower problem is two-fold. Available manpower must be effectively utilized and additional manpower recruited.

Consolidation of support systems and facilities will allow more effective use of support personnel and efficient deployment of sworn officers to criminal cases. Manpower utilization studies will point to areas of non-police duties which should be assumed by other agencies or by non-sworn personnel. (Program F-3)

Standardized personnel procedures, including adequate basic pay and incentives for education must be adopted by state and local government to attract and hold qualified officers. Recruiting programs such as cadet training may be needed to attract youth to work in law enforcement.

PROBLEMS AND NEEDS:

PROBLEM: Many agencies are unable to meet increasing demands for service in criminal and civil matters.

NEED: Proper police duties must be determined and sworn officers assigned to handle only those matters. The myriad other services provided by the law enforcement agency must be channeled to other service agencies or at least assigned to non-sworn personnel. Manpower utilization studies are a necessary first step in determining how manpower is being used and what separation of functions is feasible.

PROBLEM: Services, support systems and facilities are duplicated by police and sheriff agencies while available skilled, sworn manpower is inadequate to meet the demands for service within the community.

NEED: Shared use of facilities, support systems and equipment would allow a larger portion of the agencies' operating budgets to be used for sworn personnel and needed equipment. Through consolidation, support personnel would be more efficiently used and, hopefully, some support staff would be freed to handle routine agency duties. Consolidation-at least of support systems-is necessary to efficiently use available manpower.

PROBLEM: More than half of Montana's 56 counties do not receive 24 hour police service.

NEED: The 29 counties not having round-the-clock police protection include 20 counties of over 2,500 population. These counties should consolidate smaller departments to implement 24 hour service through a central agency having a minimum of 10 sworn officers. The Montana Board of Crime Control will provide funding incentives and technical assistance for such consolidation. In the nine counties with less than 2,500 population, contractual arrangements should be made to enlarge the enforcement jurisdictions. The primary advantage of such arrangement would be that increased municipal revenues would provide for more adequate law enforcement services.

PROBLEM: Nearly one-half of the individuals arrested for major felony crimes are juveniles.

NEED: Each agency should have at least one sworn officer who is trained to handle juveniles and assigned to such cases.

Courts

GENERAL STATEMENT AND FORECAST:

Although Montana population has not increased substantially in the past decade, the rural-to-urban shift has continued until more than half of the people now live in cities of 2,000 or more and more than a third live in or near 4 major urban centers. In the courts area, population redistribution, the adoption of a new state constitution, a flood of implementing legislation, the new codes in almost every area of the law have meant increased workloads for all trial courts and excessive workloads for some. It is generally recognized that additional manpower is needed, but the question has become: What kind of manpower and where?

Preliminary findings of studies conducted by the interim Subcommittee on the Judiciary of the Legislative Council and the Supreme Court Commission to Study Lower Courts, and interviews with district court judges and justices of the peace suggest that it is not the trial caseload which has become unmanageable in urban areas, but that administrative detail and magisterial/referee conferences in chambers create the greatest part of any undue burden. If this is so, it indicates that the kind of manpower needed for the courts is support staff, not more trial judges, and that inequities could be ironed out better by a flexible allocation of legal, administrative, clerical and evaluative assistance than by redistricting.

Moreover, the studies and interviews point up the fact that there is no uniform record-keeping or reporting of courts activity and therefore no reliable information on which an assessment of needs might be based. It is clear that a first step toward adequate budgeting, problem-analysis, and in-service training and education for the judiciary is the employment of a court administrator with adequate staff. The position has been established, but is not yet filled.

PROBLEMS AND NEEDS:

PROBLEM: Population redistribution and an immense amount of new constitutional and statutory law with exclusive jurisdiction reposing in the district courts has resulted in increased and disparate workloads.

NEED: Support staff in administrative, clerical, and social services is required by district courts in varying degree. It seems unlikely that the counties are willing or able to assume this burden, therefore the provision of support staff to trial courts must be a state responsibility.

PROBLEM: Courts of general and limited jurisdiction are unable to assess their needs on a statewide basis because of a lack of uniform record-keeping and reporting and because there is no flow of information about judicial administration.

NEED: A courts administrator with an adequate staff, including a professional statistician, should be employed to assist courts with problems in judicial administration.

PROBLEM: Judges have insufficient time to do adequate legal research and must depend on attorneys' briefs for adequate discussion of the law involved, even in difficult cases.

NEED: A legal research center, operated in conjunction with the state supreme court and the office of the courts administrator, staffed by trained legal researchers and including an extensive law library and a computer terminal tied to national legal research systems, should be established by the legislature to serve judges, prosecutors, defense attorneys, and legal aid offices.

Prosecution

GENERAL STATEMENT AND FORECAST:

The same general conditions that have produced increased workloads and additional manpower needs for courts have had a similar effect on county attorneys. Five Montana counties (including the most urban areas) have full-time county attorneys as of July 1, 1975. At least 2 of those offices include one or more full-time deputies, a full-time investigator, and specialists in deferred prosecution or economic crime. Even these best-staffed offices however, have rising manpower needs as additional responsibilities for county attorneys are created by new legislation.

Fifty counties have part-time county attorneys who are also engaged in private practice. Their requirements for manpower assistance are different, and perhaps greater, than those of the more urban areas.

Within the past 2 years an office of county attorney training coordinator has been established and begun to function under the auspices of the attorney general and the county attorneys' association. Through the coordinator's efforts some technical assistance has been made available and a brief bank has been initiated. These programs should be expanded, and a central pool of technical assistance, legal research and investigative services should be made available.

PROBLEMS AND NEEDS:

PROBLEM: Although the needs of rural and urban county attorneys differ, all offices are understaffed in terms of specialized assistance.

NEED: A state central pool of specialists, investigators, and technical and legal research assistance should be established which could respond flexibly to differing requirements and conditions when requested to do so by county attorneys.

Defense

GENERAL STATEMENT AND FORECAST:

At least 6 counties have used a permissive statute to provide for the appointment of public defenders. One judicial district has a full-time public defender by virtue of agreement among the county commissioners and a grant from LEAA. Except for the district defender, all public defenders are part-time and are also engaged in private practice. Most are appointed by the district judge of the court before which the defender's cases will be tried, as are the assigned counsel for indigent defendants in areas without public defenders. Usually the salary or reimbursement of defenders or assigned counsel is within the appointing judge's discretion. Few, if any, counsel for indigent defendants have access to investigatory, technical, or research assistance.

As the numbers of public defenders in the state have increased, so has the interest in the provision of quality criminal defense. This year an association of criminal defense attorneys (both public and private) was formed, chiefly for the purposes of providing an avenue for exchange of information and problems and to upgrade and update defense attorneys' skills in criminal law practice and procedure.

PROBLEMS AND NEEDS:

PROBLEM: A great deal of dedication and motivation is necessary for part-time defenders or assigned counsel to generate the time and resources to mount other than a pro forma defense at the trial level or to take an appeal where indicated.

NEED: A statewide system should be instituted, providing full-time defenders to districts with large criminal caseloads and a central pool of investigators, technical, and research personnel for all criminal defense counsel.

Corrections

GENERAL STATEMENT AND FORECAST:

Although it is generally held that an increase in manpower will solve many correctional problems, this is not necessarily true in Montana. More effective utilization of both available and additional manpower is a more realistic approach to the state's correctional problem.

As effective manpower is the single most important factor in any endeavor, the multi-year program emphasizes continually improving quality of personnel.

PROBLEMS AND NEEDS:

PROBLEM: The Montana State Prison has an employee-to-inmate ratio of almost one to one. Because of the deteriorated condition of the physical plant, this ratio is necessary to do an effective job. The prison also has an excessively high rate of employee turnover.

NEED: A reduction in manpower at the prison may be achieved through attrition with no loss in effectiveness if personnel are shifted to different facilities and provided with more than custodial duties. The improvement in working conditions will be an incentive which should reduce the turnover rate. A new prison facility will be constructed during the multi-year period.

PROBLEM: The probation and parole field services division of the Board of Pardons is greatly understaffed and handles excessive caseloads. Parole officers are required to perform pre-sentence investigations as well as supervise offenders.

NEED: An immediate increase in field service personnel is required to reduce the individual caseload to a level of no more than fifty units of work. Additional personnel should be added to perform pre-sentence investigations.

PROBLEM: The offender in the community lacks needed guidance, supervision and physical facilities for re-integration into society. Local jails cannot provide the needed services in their present condition and with existing manpower.

NEED: Community facilities are needed to provide for housing and programs aimed at rehabilitation. Although some social services are currently provided, additional manpower is required to coordinate these services for the offender. A community service officer and staff responsible to a state division of corrections could serve this role.

Juvenile Justice

GENERAL STATEMENT AND FORECAST:

Most individuals employed in juvenile justice are currently overworked. Juvenile probation officers are expected to perform diverse duties including law enforcement, prosecution, adjudication and counseling. Caseloads and jurisdictional areas are exceedingly large.

Clarification of the juvenile probation officers duties and an increase in manpower are needed. Auxiliary support from volunteers also will reduce the caseload of juvenile justice personnel.

The recently adopted Montana Youth Act will provide some clarification of the proper duties of juvenile probation officers. By 1979, the statewide total of juvenile probation officers should be increased from 39 to 45. A state-supported office responsible for the recruitment and supervision of volunteers also is anticipated.

NEEDS AND PROBLEMS:

PROBLEM: Juvenile probation officers are expected to handle too many diverse duties. Counseling and prosecution duties result in the officer being requested to assume adversary roles.

NEED: Legislation clarifying the duties of the juvenile probation officer and eliminating law enforcement and prosecutorial duties is needed.

PROBLEM: Individual officers are assigned too large a geographical area and too many cases for effective prevention of juvenile recidivism.

NEED: Additional manpower is needed to reduce the jurisdiction and caseload of individual officers. The Board of Crime Control is assisting local government in initial employment of deputy probation officers (Program A-3). By 1979, a total of 45 officers should be available to the juvenile courts.

MULTI-YEAR BUDGET AND FINANCIAL PLAN

MANPOWER		1976	1977	1978
A1	REPLACEMENT MANPOWER	11,000	11,000	11,000
A2	POST-GRADUATE EMPLOYMENT	79,000	60,000	55,000
A3	JUVENILE PROBATION	48,000	40,000	32,000
A5	CLINICAL SERVICES	70,000	70,000	70,000
A7	VOLUNTEER AUX. POLICE	9,000	5,000	3,000
A9	CORRECTIONS ADMINISTRATOR	27,000	-0-	-0-
A10	COURTS COORDINATOR	27,000	-0-	-0-
	TOTAL	271,000	186,000	171,000

TRAINING

Police

GENERAL STATEMENT AND FORECAST:

Few law enforcement agencies use an entrance examination to determine the psychological suitability of recruits, nor do many offer promotions, raises or other incentives to advanced training and higher education. Yet, it is generally recognized that advanced training is necessary to the development of law enforcement professionalism.

The recently authorized Peace Officers Standards and Training Council has established a minimum 280-hour training curriculum for recruits and is establishing standards for advanced training. The Council is working closely with Montana Law Enforcement Academy to develop needed training programs including a field, in-service training capacity. Through the multi-year period, P.O.S.T., M.L.E.A. and the state Board of Crime Control will work together in setting obtainable minimum training standards for lawmen and assisting agencies in reaching these minimum standards.

PROBLEMS AND NEEDS:

PROBLEM: Personnel policies of law enforcement agencies generally do not provide adequate standards for recruitment, training and career advancement of officers.

NEED: Recruitment practices must be standardized and refined to attract and select suitable officers. This task can be established by P.O.S.T. which also will be active in developing standards for training and career advancement.

PROBLEM: Many law enforcement administrators have risen through the ranks without benefit of training in administrative skills.

NEED: To assist in the development of modern police administration, specialized training should be made available to these administrators.

The P.O.S.T. Council and the M.L.E.A. staff are working together to develop such a program.

GENERAL STATEMENT AND FORECAST:

In recent years as the complexity of the judicial function was increased, the interest of appellate and trial court judges in both in-state and out-of-state training has also risen. Important factors in stimulating a recognition of need in this area have been the rapid transitions in criminal law, both state and federal, and recent near-total revisions locally of codes of probate, water law, juvenile law, gambling law, mental commitment law, and rules of evidence. Although more and more judges and justices have participated in national training sessions or workshops and local and regional sessions have been instituted on an annual basis, there is no requirement in Montana for periodic training or continuing education for appellate and trial court judges. Nor is there any coordinated method for providing regular information to the judiciary about available short courses or workshops.

Efforts to require legal qualifications or lower court judges have failed to persuade the Montana legislature of the merit or necessity of the requirement, but the need for in-service training has been recognized and codified. Justices of the peace must attend training sessions upon election or appointment unless they have prior experience, and additional annual training courses have been instituted for both JP's and city court judges. Benchbooks have been provided for all lower court judges. These steps are a start in the right direction, but much more remains to be done in the provision of assistance and in-service training for lower court judges.

Clerks of court and other court administrative personnel have little opportunity for training. Clerks of district courts now have annual meetings including training seminars and handbooks recommending some types of procedures. Except for certain statutory duties, however, most clerks must devise their own methods of fulfilling their responsibilities.

PROBLEMS AND NEEDS:

PROBLEM: In the absence of any requirement or regularized program for in-service training or continuing education for appellate and trial court judges, many of the members of the judiciary find little time or opportunity for updating or improving judicial skills in the press of immediate activity.

NEED: Appellate and trial court judges need improved availability of information regarding training programs and short courses and a periodic, predictable system of state in-service training.

PROBLEM: Initial and in-service training for lower court judges is present, but brief and infrequent, with no continuous flow of educational and training materials.

NEED: Training sessions and workshops for lower court judges should be expanded and increased, probably on a regional basis. A variety of handbooks and checklists should be provided.

PROBLEM: Little training is available and no training is required for clerks of courts or other court staffers. No standard job description or methods of recording and reporting are available except those provided on a voluntary basis by the clerks of court association.

NEED: The upgrading and expansion of training sessions and materials for clerks of courts and other administrative personnel should be assumed as a state responsibility.

Prosecution

GENERAL STATEMENT AND FORECAST:

As opportunities for training in criminal prosecution have improved, the numbers of county attorneys taking advantage of the offerings has also increased. The establishment of a county attorney training coordinator as a division of the attorney general's office, but primarily working through the association of county attorneys, has been the major step in expanding and improving the availability of prosecutorial training. As is true in much of the courts area, prosecution training programs have been instituted but not yet systematized nor made sufficiently adaptable or flexible to meet Montana's diverse needs.

PROBLEMS AND NEEDS:

PROBLEM: Opportunities for in-service training, especially for part-time county attorneys, are not sufficiently broad or systematized. Rural prosecutors, operating with minimal resources, find it difficult or impossible to adapt or adopt recommended techniques demanding a high level of administrative and technical sophistication.

NEED: Training agendas for part-time, rural county attorneys should be developed and special, regional sessions dealing with the management of prosecution problems in rural areas and the availability of technical assistance should be instituted.

Defense

GENERAL STATEMENT AND FORECAST:

There are very few public defenders in the state, probably no more than 15. Often, both public defenders and assigned defense counsel for indigents are recent law school graduates. No in-state training whatever is currently available for either and most are unaware of the opportunities for out-of-state training. A defense attorney's association has just been organized with plans to commence a newsletter and conduct training seminars.

PROBLEMS AND NEEDS:

PROBLEM: Little or no training is available for attorneys who are public defenders or who are assigned to defend indigents.

NEED: A comprehensive training program within a statewide defender system is needed for both public defenders and assigned counsel.

Corrections

GENERAL STATEMENT AND FORECAST:

Basic and continuing training are vital to the success of the correctional effort. Personnel must be trained to do a specific job to reach a specific goal. Continued training is essential to an understanding of the constantly changing philosophies in the field of corrections.

Correctional training properly includes the establishment of a correctional officer standards training committee (C.O.S.T.) to establish minimum entry levels and prescribe type and amounts of training for each person in each phase of the correctional profession. (Program B-6)

PROBLEMS AND NEEDS:

PROBLEM: Although Montana State Prison has established an excellent pre-service and in-service training program, problems have arisen because of lack of personnel incentive.

NEED: Additional incentives must be offered to the correctional staff to make participation in the training programs more desirable. Such incentives should include salary increases and promotion.

A minimum of 80 hours basic and 40 hours annual in-service training should be required as a condition of employment in the prison system by 1975.

PROBLEM: The probation and parole authority lacks sufficient manpower to release officers from duty for extensive training. Therefore, no formal training program exists.

NEED: A formal training program should be established by 1975 to meet training requirements established by C.O.S.T. Replacement personnel should be available for attending officers.

PROBLEM: Persons responsible for community correctional effort receive no more formal training than occasional seminars. Those involved with local detention, probation, and coordination of services are without a training resource. Although the local jailer may receive detention-oriented training, little emphasis is placed on rehabilitative techniques.

NEED: A continuing correctional training program must be established for community-corrections personnel. Staff of auxiliary services such as half-way houses, jails, probation services, and volunteer programs should receive such training.

Juvenile Justice

GENERAL STATEMENT AND FORECAST:

Although legal procedures for the handling of juveniles are substantially different from those governing adults, no specialized training in these procedures is available to law enforcement, court or correctional personnel.

A three point program for providing such education is included in the multi-year plan. The Montana Law Enforcement Academy will establish a week's training course for lawmen involved in handling juveniles. A state office will be established to coordinate the activities of the juvenile courts and the Department of Institutions will establish a training division to instruct the staff of correctional institutions (Program B-7).

PROBLEMS AND NEEDS:

PROBLEM: While juveniles comprise nearly one-quarter of the total offenders processed by the criminal justice system, system personnel receive no training in the special handling legally required for juveniles.

NEED: Each component of the criminal justice system must develop a program to train its personnel in the special techniques of juvenile justice. This program should be on-going, and incorporated into the budgets of state and local governments.

MULTI-YEAR BUDGET AND FINANCIAL PLAN

TRAINING	1976	1977	1978
B1 MONTANA LAW ENFORCEMENT ACADEMY	80,000	-0-	-0-
B3 PEACE OFFICERS STANDARDS AND TRAINING	16,000	-0-	-0-
B4 OUT-OF-STATE	20,000	25,000	30,000
B6 CORRECTIONS OFFICERS STANDARDS & TRAINING	10,000	15,000	20,000
B7 JUVENILE PROBATION IN-SERVICE	45,000	50,000	50,000
B8 JUDICIAL CONFERENCE	6,000	6,000	6,000
B9 COUNTY ATTORNEY IN-STATE	10,000	10,000	10,000
B10 CLERKS OF COURT	900	1,000	1,000
B12 City Judge Seminar	6,500	10,000	10,000
B13 Judges Juvenile Justice	15,000	10,000	10,000
TOTAL	209,400	127,000	137,000

Police

GENERAL STATEMENT AND FORECAST:

The average education attainment level of Montana lawmen is currently 13.3 years. Approximately 96 per cent of the state's sworn officers have completed high school or the equivalent. The state offers many opportunities for formal law enforcement education. Seven colleges and/or universities offer criminal science courses. Four schools offer two-year associate degrees which are transferable to four-year institutions. All credits earned can be transferred among the participating community colleges and universities.

Yet, in the local law enforcement departments, no incentive is offered for further formal education. Law enforcement often loses professional lawmen to other professions which offer more career advantages.

PROBLEMS AND NEEDS:

PROBLEM: Currently, no screening is used to determine the psychological and mental suitability of law enforcement recruits.

NEED: A reliable method of testing recruits to identify personalities suitable to law enforcement work should be implemented as a part of the personnel practice of each law enforcement agency. Similar screening should be available to college students considering a career in police science.

PROBLEM: Salaries and career advancement opportunities in law enforcement are not competitive with those offered by other industries and professions. Many skilled, educated officers leave law enforcement because of the limited opportunities for advancement.

NEED: County, local and state government must reassess the pay scale of law enforcement officers and attempt to make it competitive with other career opportunities. Through legislative action, a more realistic retirement benefit plan should be established.

Within local agencies a definite policy of career advancement should be adopted which encourages further education and offers incentive to career and education-oriented officers.

Courts, Prosecution, and Defense

GENERAL STATEMENT AND FORECAST:

Educational requirements for prosecuting and defense attorneys and for trial and appellate judges are, of course, satisfied by a law degree. Unless non-lawyer judges sitting in lower courts on cases involving potential jail sentences are declared by case law to be an unconstitutional violation of the rights of a criminal defendant, it seems unlikely that Montana will require its lower court judges to be lawyers. Both the legislature and a constitutional convention repeatedly have refused to adopt such a requirement in recent years.

Internships in the courts area for law students have been considered to be an educational introduction to the criminal justice system for the interim, as well as providing a manpower resource for judges, prosecutors, and defenders. Until quite recently in Montana, most requests for interns have come from prosecutors. Current indications are that judges (including lower court judges) and defenders are as interested in obtaining interns as are prosecutors. Presumably, the educational experience for the intern would be equivalent, and available interns should be placed equitably among applicants.

As for education in criminal justice generally, the role of courts, prosecution, and defense in providing remedies and protections for both the individual and society is inadequately understood by the public and by law enforcement personnel.

PROBLEMS AND NEEDS:

PROBLEM: In the past, most requests for law student interns have come from prosecutors and most such internships have involved training in prosecution. An equal interest in the placement of law interns is currently being demonstrated by judges and defenders.

NEED: A carefully planned and balanced internship program should be evolved. Planning should include consideration of benefits to the student and to the agency and the possibility of establishing clerkships for law graduates in Montana's trial courts.

PROBLEM: The functions of courts, prosecution, and defense in the criminal justice system are inadequately understood by the public and by law enforcement personnel.

NEED: Community education projects and programs in the remedial and protective functions of courts, prosecution, and defense are needed. A law-related curriculum of study should be introduced into the elementary and/or secondary schools on a statewide basis.

Corrections

GENERAL STATEMENT AND FORECAST:

Various types and degrees of education are necessary within the field of corrections because there are many stages in the development of an offender. While some offenders require custody, all require classification and treatment.

In some areas, a sincere interest in the work is more important than formal education. In other areas, a high degree of education and professional development is mandatory to success.

Obviously a lesser degree of education is needed to provide custody than is needed for medical and psychological diagnosis and treatment.

All areas of correctional treatment require a certain knowledge of the behavioral sciences.

PROBLEMS AND NEEDS:

PROBLEM: Montana State Prison currently does not have a professional staff capable of instituting a proper classification system to prescribe the most beneficial rehabilitation treatment.

NEED: Selected persons must be educated or employed at the prison to establish a comprehensive diagnostic and evaluation center for the purposes of classifying inmates for referral to the proper treatment program.

PROBLEM: Since field service personnel attached to the Board of Pardons are working daily on a one to one basis with clients, a high degree of knowledge of human behavior must be obtained through continuing education.

NEED: Each person with responsibility for supervision should have a minimum of a bachelor's degree in one of the behavioral sciences. Post-graduate work is desirable.

PROBLEM: At the community level, staff with varying degrees of education is necessary as each phase of corrections requires different disciplines and levels of expertise.

NEED: The custodial officer should receive training but does not need a prescribed educational background.

Supervisory personnel, such as probation officers, should have formal education in the behavioral science. Treatment personnel must have a professional degree and be licensed.

Juvenile Justice

GENERAL STATEMENT AND FORECAST:

Twenty-nine of the state's 43 juvenile probation officers have earned bachelor's degrees. However, there is still a need for qualified personnel to ensure that professional service is offered to those juveniles requiring supervision.

PROBLEMS AND NEEDS:

PROBLEM: In an attempt to raise the educational standards of juvenile corrections personnel, steps must be taken to implement Sec. 10-1234 of the new Montana Youth Act. This Act states that a chief probation officer must have a masters degree in the behavioral sciences,or a bachelors degree and one year experience in a related field. The Act also removes the arrest power from probation officers.

NEED: To reach these standards adequate salaries must be offered to attract qualified people. There should also be stipend programs available to assist and encourage current employees to return to college for further education.

MULTI-YEAR BUDGET AND FINANCIAL PLAN

EDUCATION		1976	1977	1978
C2	PUBLIC EDUCATION	25,000	25,000	25,000
C3	C.J.S. INTERNS	75,000	60,000	50,000
C4	POST-SECONDARY/INMATES	10,000	10,000	-0-

EQUIPMENT

Police

GENERAL STATEMENT AND FORECAST:

Adequate equipment for the protection of both lawmen and the general public is extremely important in rural communities where back up support is not available and expansive distances must be covered.

Each agency should provide the necessary equipment for safety and specialized equipment for training and criminal investigations. Each agency also should adopt standard uniforms which are easily identifiable by the public.

The Board of Crime Control assists agencies in the purchase of extraordinary equipment which is not available through the agency's normal operating budget (program D-1). The state planning agency staff has assembled a list of minimum equipment which is used as a guideline in reviewing applications for equipment.

By 1976, each agency should have adequate basic equipment.

PROBLEMS AND NEEDS:

PROBLEM: Many small agencies do not have adequate equipment, either basic or specialized. All agencies need specialized equipment for training, community awareness programs and similar projects.

NEED: County and local government should be made aware of the equipment needs of local agencies and urged to provide an appropriate budget for such items. Federal assistance will be made available for extraordinary equipment needs.

PROBLEM: In small departments, officers perform a multitude of varied duties. Officers also patrol large jurisdictions. Lawmen should be identifiable in all circumstances.

NEED: Standard uniforms, easily identifiable to citizens and tourists should be adopted by each law enforcement agency.

Courts, Prosecution and Defense

GENERAL STATEMENT AND FORECAST:

Considered in the conventional sense, the equipment requirements of courts, prosecution, and defense are limited in comparison with those of other agencies of the criminal justice system. An adequate range of modern office equipment is basic. A determination of what is "adequate" depends in each case on the complexity of the operation involved, and this varies in Montana from the relatively simple to the moderately sophisticated.

Courtrooms and their satellite areas may present some special equipment problems, again depending on individual circumstances, in acoustics, convenience, and comfort for jurors and witnesses. Courtroom security can be a problem in certain districts. Electronic recording and videotaping equipment may be useful in gaining and preserving testimony especially for some criminal trials, and it appears that the proposed new rules of evidence will obviate questions of admissibility.

Judges have some advantages over prosecutors and defenders in the ability to provide for equipment and facilities in that they may exercise the inherent power of the court (statutory in Montana) to order from the sheriff all things necessary to their operation.

Perhaps the most severe lack in the equipment area for judges, prosecutors, and defenders is the inadequacy of facilities for legal research. Probably only 3 jurisdictions in the state have adequate libraries and reporting services in criminal law and procedure. This is so in spite of the reasonable efforts made by most counties to upgrade the courthouse libraries and to provide at least the minimal subscription services necessary for updating.

PROBLEMS AND NEEDS:

PROBLEM: Some judges and prosecutors and most defenders may not have the modern office equipment necessary for office efficiency.

NEED: Public defenders should be provided with adequate and modern office equipment by the state. The office equipment needs of judges and prosecutors should be inventoried, with the state assuming the responsibility for the provision of better equipment where it is clearly impossible for the county to do so.

PROBLEM: Some courtrooms and their satellite areas may present special equipment problems.

NEED: An inventory of courtroom facilities and equipment should be made statewide in order that planning may be begun and priorities established to remedy any defects or to provide for any special needs.

PROBLEM: Most judges, prosecutors, and defenders have inadequate facilities and equipment for legal research.

NEED: A legal research center should be established in connection with the supreme court and the office of the court administrator. It should include adequate staff, an excellent law library, and a computer terminal tied to national legal research services. It should be provided with toll-free telephone lines to the office of each judge, defender, and prosecutor, and should be able to be utilized without charge by lawyers assigned to defend indigent defendents. The services should also be available to private attorneys upon payment of a fee.

Corrections

GENERAL STATEMENT AND FORECAST:

Modern equipment is essential to the changing field of corrections. As new techniques of rehabilitation are identified, new equipment is necessary to utilize these techniques.

Through the multi-year period, emphasis will be on equipping the new facility at Montana State Prison and coordinating the use of equipment available in Montana communities for correctional treatment.

PROBLEMS AND NEEDS:

PROBLEMS: Montana State Prison requires equipment for academic as well as vocational education. Diagnostic equipment for proper classification and evaluation of those convicted is also needed.

NEED: As training facilities and programs at the prison site have increased, additional equipment must be furnished.

Highly specialized equipment for medical and psychological diagnosis and subsequent placement of all felony offenders must be purchased and operational by 1976.

PROBLEM: The Board of Pardons does not possess adequate equipment for training and continuing education of the field service personnel.

NEED: The Board's training officer must be provided with equipment such as a closed circuit television camera and receiver for instruction in counseling techniques.

PROBLEM: Although most communities have at one agency or another (public and private) various types of equipment that could be used for offender rehabilitation, most of this equipment is not used for this purpose.

NEED: A person is needed at the community level to identify and coordinate the use of all available equipment for rehabilitation.

Juvenile Justice

GENERAL STATEMENT AND FORECAST:

The juvenile custodial institutions of Montana require equipment for academic as well as vocational education. There is also a need for recreational equipment, especially at Swan River Youth Forest Camp.

In-service training equipment is needed for the use of institution staff and field personnel working in juvenile parole and probation.

Over the multi-year period, the corrections agencies of Montana should obtain adequate equipment for communications purposes.

PROBLEMS AND NEEDS:

PROBLEM: Communications is a problem to both institution and field personnel. Adequate communications can save valuable time and will increase the effectiveness of manpower.

NEED: Each institution should be equipped with a base station and mobile units. Each field officer covering a multi-county area should be equipped with a mobile radio. Field personnel for juvenile probation and parole should also have access to the state WATS telephone line.

PROBLEM: Montana's juvenile custodial institutions do not have the proper educational facilities to provide quality education for the students. Recreational equipment for institutions has been viewed as a luxury item; consequently, these facilities do not have equipment needed for basic physical development as well as recreation.

MULTI-YEAR BUDGET AND FINANCIAL PLAN

EQUIPMENT	1976	1977	1978
D1 EQUIPMENT	120,000	50,000	50,000
D3 Crime Lab Equipment	20,500	-0-	-0-
TOTAL	140,500	50,000	50,000

FACILITIES

Police

GENERAL STATEMENT AND FORECAST:

Most law enforcement facilities in the state are inadequate. Many are old, poorly lighted and ill-arranged to house police activites. The lack of adequate facilities, in many instances, is a very real handicap to efficient police operations.

Modern facilities are needed in all areas of the state. New facilities should include protected areas for communication, dispatch, record-keeping and adequate isolated areas for interrogation, evidence, photographic processing and administrative offices.

Facilities for the temporary incarceration of pre-trial offenders should provide for segregation by age and sex.

PROBLEMS AND NEEDS:

PROBLEM: While construction of modern law enforcement facilities is too costly for most individual communities, such facilities are essential to improved law enforcement.

NEED: Consolidation of facilities and jurisdictions in rural areas will eliminate duplication of inadequate services and provide funding needed for construction or renovation of facilities. The Board of Crime Control also will provide technical assistance and funding incentives for such consolidation (program G-1).

Courts, Prosecution, and Defense

A discussion of facilities for courts, prosecution, and defense is included in the Equipment section.

Corrections

GENERAL STATEMENT AND FORECAST:

Nationwide, there is a movement to de-emphasize public facilities particularly new prison facilities and juvenile institutions. However noble the thought, the reality remains that certain custodial institutions are necessary. A need exists for long-term incarceration as well as temporary lock-up facilities. Montana's facilities are in deplorable condition. There is an immediate need for some new construction, some renovation, and in some cases total abandonment.

More facilities are needed in the community for housing and readjustment programs for offenders.

The multi-year improvement plan includes construction of some new buildings at the state prison; identifying suitable alternatives to county jails as centers for pre-release, work release, and post release programs; and improvement of local holding facilities to meet minimum standards for the health and welfare of those detained.

PROBLEMS AND NEEDS:

PROBLEM: Sections of Montana State Prison are in such a state of disrepair that it is not economically feasible to renovate or continue use of these facilities.

NEED: New construction of a central facility at the prison ranch (Rothe Hall) should be started and upon its completion, the old main prison (downtown Deer Lodge) abandoned.

A small unit will be built at the ranch housing up to 300 people with support facilities for all correctional related programs (classification, detention, food service, treatment, and education.)

PROBLEM: The Board of Pardons does not have adequate central administrative office space. The present space occupied could serve better as a county detention and treatment center.

NEED: Facilities for the offices of administration should be constructed in conjunction with the new prison facility and the present space turned over to Powell County authorities.

PROBLEM: Most of Montana's jails are unfit for human occupancy. Because of their condition, it is almost impossible to establish any meaningful correctional programs.

NEED: Since funds are limited, it is unrealistic to attempt to renovate local detention facilities to handle rehabilitation. Facilities must, however, be brought up to minimum standards for the health and welfare of the inmates and used only for temporary incarceration.

Juvenile Justice

GENERAL STATEMENT AND FORECAST:

A series of facilities ranging from receiving centers to secure facilities for disturbed or dangerous juveniles is needed. Some of these facilities are being provided; others are planned.

Group or individual foster care facilities should be made available to all judicial districts by 1978. The group home program will be completed in 1975 with the establishment of the 10th group home. Individual foster homes should be developed to complement the group care program.

Alternative facilities for the detention of youth will also be developed in the more populated judicial districts by 1978 (Program E-4).

By 1980, the larger communities of the state will support facilities other than jail for the temporary custody of juveniles (Program E-4).

PROBLEMS AND NEEDS:

PROBLEM: Approximately 20 percent of the juveniles referred to juvenile court spend time in jail or detention. Many of these youth have committed no criminal offense and do not need secure detention.

NEED: Alternative facilities should be made available for the temporary custody of youth who do not require secure detention.

MULTI-YEAR BUDGET AND FINANCIAL PLAN

FACILITIES	1976	1977	1978
E3 COURTS	20,000	30,000	40,000
E4 JUVENILE RECEIVING CENTER	40,000	200,000	200,000
E5 LOCAL JAILS	90,000	100,000	100,000
TOTAL	150,000	330,000	340,000

Police

GENERAL STATEMENT AND FORECAST:

A reduction in the amount of non-police service rendered by sworn officers coupled with increased use of supplementary personnel for routine duties will result in reduced individual workloads and improved crime-oriented police service.

In the multi-year period, manpower studies and improved deployment of manpower (program F-3) should equalize workloads. Community awareness of the proper police function as distinct from the functions of other social service agencies, will do much to cut the amount of service demanded of law enforcement.

PROBLEMS AND NEEDS:

PROBLEM: Ineffective deployment of manpower to non-police duties reduces the capability of most agencies to handle criminal complaints and investigations.

NEED: In all possible cases, non-sworn supplementary staff should be assigned to administrative and non-police duties. Other social service agencies should assume responsibility for those services requested of the police but more properly addressed to another agency.

Law enforcement agencies should conduct community awareness campaigns to distinguish police service from those duties belonging to other agencies (Program H-1).

PROBLEM: Many law enforcement agencies do not collect necessary data to identify high crime problems and areas.

NEED: Each law enforcement agency should have an information system capacity to identify high crime areas and specific crime problems. Agencies should deploy available manpower to these areas and launch campaigns to enlist the public in crime prevention.

Courts

GENERAL STATEMENT AND FORECAST:

Refer to the general statement and forecast in the Manpower section.

PROBLEM: In several districts in the state, judges attest to a heavy, perhaps undue, workload. It seems clear that caseload is not necessarily equivalent to workload because of unmeasured administrative responsibilities of judges and a large number of matters disposed of in chambers.

NEED: A courts planning unit with an advisory council of district court judges should be formed. Planners should consider the installation of a management informations system for courts, alternative means of measuring and equalizing workload among trial judges, and methods of providing administrative, research, and social services support to courts in areas where the need is demonstrated.

Prosecution and Defense

A discussion of workload for prosecution and defense is included in the Manpower section.

Corrections

GENERAL STATEMENT AND FORECAST:

Budget limitations have forced many corrections workers to assume excessive workloads. Administrators realize the ineffectiveness of this situation and are making every effort to alleviate the problem. Additional manpower and effective deployment are possible solutions. Use of qualified volunteers is a third. Although many individuals are willing to share their talents by working as a volunteer in corrections, as yet, volunteerism is an untapped resource.

PROBLEMS AND NEEDS:

PROBLEM: The distance between facilities and general disrepair of the state prison reduce efficiency and require additional manpower. Even with an inmate to officer ratio of almost one to one each officer has a heavy workload.

NEED: Construction of a modern prison facility near the prison ranch will improve the physical work environment. This, coupled with the use of modern detention techniques will allow a reduction in staff and, simultaneously, decrease the individual workload. The overall improvement in efficiency will provide a considerable saving on personnel costs.

PROBLEM: Probation and parole officers are severely hampered by excessive caseloads. Some officers are responsible for more than 100 persons. It is unrealistic to assume the probationer or parolee can receive much benefit from counseling by an officer with this size of workload.

NEED: Additional officers must be employed to reduce caseloads. The increased use of volunteers should be encouraged and can be begun immediately without a departmental budget increase.

PROBLEM: The people working in corrections in the community are burdened by heavy workloads. Over the next three years, workloads will increase proportionately to the emphasis on community corrections.

NEED: Additional salaried people must be employed. Utilization of interns and volunteers in each step of the community correctional process should be encouraged.

MULTI-YEAR BUDGET AND FINANCIAL PLAN

WORKLOADS	1976	1977	1978
F3 CJS WORKLOAD	5,000	10,000	10,000
TOTAL	5,000	10,000	10,000

Police

GENERAL STATEMENT AND FORECAST:

Clearly-defined operating procedures are necessary to effective administration, planning and liaison with the public and other agencies.

Each law enforcement agency should post written standards defining duties, responsibilities and activities of the agency and its personnel and present these standards to the public.

To promote public understanding of the police function, the agency should establish and publish policy concerning release of information to the press, handling of citizen greivances and participation in civic projects. The Board of Crime Control will provide funding and technical assistance for such projects through 1976 (Program H-1).

PROBLEMS AND NEEDS:

PROBLEM: Many police agencies are misunderstood by the media and the public. Law enforcement without citizen cooperation often works in a vacuum of apathy.

NEED: Law enforcement must take an aggressive role in improving communication with the media and the public. Operating standards should be set and enforced to insure communication with the press, response to citizen greivances and participation in community affairs. The agency must insure that the community distinguishes proper police functions from the responsibilities of other agencies.

PROBLEM: Law enforcement agencies often cannot identify problem crimes and high crime areas and, consequently, cannot effectively combat crime or deploy patrol personnel.

NEED: The agency must identify problem crimes and high crime areas and enlist the media and the public in prevention and/or patrol activities.

GENERAL STATEMENT AND FORECAST:

Members of Montanas judiciary are among the lowest-paid in the nation, despite minimal salary raises within the last 2 years. Facilities, equipment, and clerical and administrative assistance for district, justice, and city courts must be supplied by cities and counties that are hard-pressed in every fiscal area. Legislators are not as aware as they might be of the financial exigencies of the judicial branch, nor of the costs involved in adequate judicial administration.

Information about operating standards of the judicial branch must be gained by observation, except insofar as they are spelled out by statute. Observation indicates that many of the court-related standards recommended by the National Advisory Commission on Standards and Goals are in fact the usual practice in Montana. Beyond empiricism, any coherent examination of problems and needs must be predicted on the institution of a uniform collection and analysis of courts information. Presumably, the pending appointment of a court coordinator portends such data collection and analysis and a subsequent ability to identify problems and needs.

PROBLEMS AND NEEDS:

PROBLEM: Judicial salaries and county expenditures for judicial administration are inadequate.

NEED: The state should increase substantially the salaries of appellate and trial court justices and judges, using the compensation of their federal counterparts as a frame of reference. The state should provide for adequate judicial administration, including the assumption of all administrative costs of the judicial branch.

PROBLEM: Information about operation of the judicial branch is scarce and empirical.

NEED: A management information system for courts, either manual or automated, should be instituted as part of state court administration.

Prosecution

GENERAL STATEMENT AND FORECAST:

Salaries of full-time prosecutors are commensurate with those of district court judges, thus meeting the usual standard. Half of each county attorney's salary is paid by the state. Although this proportion may well represent the portion of an average county attorney's time spent in the criminal justice system and in other services to state government, such an assumption will remain conjectural until fortified with data. The entire salary of a city attorney is paid from city or town coffers in an amount determined by the city council or commission, even though recent legislation has expanded the misdemeanor jurisdiction of city courts.

Montana's urban county prosecutors appear to be wedded to plea bargaining. Reportedly, at least some of them overcharge as to number of counts or degree of offense simply to leave room for a negotiated plea-down. In some instances, the negotiated plea is justified on the basis of caseload; in others, it is thought to be an exercise of the prosecutor's discretion in order to serve the ends of justice. The extent of plea bargaining in rural parts of the state is not known, nor is the degree of participation of defense counsel.

Formalized deferred prosecution programs are new to Montana. The first, replete with criteria for screening and diversion and standard diversion procedures, has just commenced. A proposal for improving and standardizing screening in another community has been received by the Montana Board of Crime Control and approved in principle. Informal screening and diversion appears to be widespread, but, again, an absence of uniform reporting or record-keeping in these matters means that there is no quantitative information to support that observation.

PROBLEMS AND NEEDS:

PROBLEM: The prosecutor's use of discretion in plea bargaining and in informal screening and diversion appears not to be subject to standard criteria or to uniform and widely understood procedures.

NEED: Plea bargaining and screening and diversion by the prosecution should be conducted with full disclosure of the activities and of the processes and procedures employed. Any practice of over-charging as to number of counts or degree of offense should be eliminated.

Defense

GENERAL STATEMENT AND FORECAST:

Very little is known about the operating standards of criminal defense attorneys, either public defenders or assigned counsel, representing the indigent. Usually the county commissioners delegate to a local district judge the responsibility for choosing one or more public defender(s) and setting the amounts to be paid for public defense. In areas where assigned private counsel is needed, the local district judge always makes the assignment and determines the reimbursement. This practice, of course, raises doubts in the minds of both prosecutor and defendant about possible effect on the outcome of a case when a defender or assigned counsel is trying a case before the assigning or appointing judge.

Because statute requires that only a district judge may make a determination of indigency and assignment of counsel (defender or private) may apparently occur only after the determination, it seems likely that few indigent criminal defendants have initial contact with counsel prior to their appearance in a court.

Plea bargaining is said to be regarded as enthusiastically by public defenders as by prosecutors in Montana, and is often justified by defenders as being required by the over-charging of prosecutors. Again, there is no firm evidence as to the extent of use of the negotiated plea.

PROBLEMS AND NEEDS:

PROBLEM: Ordinarily the judge who appoints or assigns defenders or counsel for the indigent occupies the bench in the same court before which the indigent defendents are tried.

NEED: A statewide defender system is needed which would be responsible for the appointment of district defenders and for assignment of private counsel where required.

PROBLEM: Procedures for the determination of indigency may foreclose opportunity for early initial contact with an attorney for the indigent criminal defendant.

NEED: A method should be supplied (probably by legislation) for a provisional determination of indigency if indigency is claimed by a defendant upon being taken into custody.

PROBLEM: Very little is known about the extent of plea bargaining by defenders.

NEED: A statewide defender system should establish policy standards governing plea bargaining, including full disclosure of the activity and any procedures used.

Corrections

GENERAL STATEMENT AND FORECAST:

Corrections in Montana has been called a non-system. It is at best a fragmented system with different disciplines taking different directions. The ultimate goal of each discipline is the same, but a coordinated effort to reach the goal is lacking.

Operations at this time are not standardized as well as they might be.

The multi-year improvement plan involves establishment of a Division of Corrections within the Department of Institutions. The Division head will have the responsibility to set policy for administration and operation of the correctional system.

Perhaps the single most important aspect of a Division of Corrections is the ability it will have to unify the correctional system in the state.

PROBLEMS AND NEEDS:

PROBLEM: The prison currently does not have a close working relationship with other segments of corrections directly affected by philosophies and programs of the prison administration.

NEED: The Division of Corrections should establish standard operating procedures for close cooperation between the state prison, the Board of Pardons and corrections in the community.

PROBLEM: The Board of Pardons and the Board's field services section are autonomous and are within the Department of Institutions for administrative purposes only.

NEED: The three-member decision making board should remain autonomous while the field service section should be within the Division of Corrections and responsible to carry out policy established by the administrator.

The Division administrator should sit ex-officio on the Board of Pardons.

PROBLEM: Services available to the offender in the community are not coordinated by any one agency. Several volunteer programs are operating in a single locality in some instances and pre and post release centers (halfway houses) are operating independently.

NEED: Operating procedures and coordination of community resources should become a responsibility of the administrator of the Division of Corrections and his staff by 1976.

Juvenile Justice

PROBLEMS AND NEEDS:

PROBLEM: The 18 separate judicial districts of the state each have different operating procedures, hiring practices, budgetary problems and available treatment modes resulting in an inconsistent administration of juvenile justice.

NEED: The laws relating to juveniles should be refined to create a more consistent method of juvenile court processing.

A position should be established within state government to develop training programs for juvenile justice personnel, initiate legislative proposals, establish hiring standards and provides liaison between the juvenile courts and other correctional programs.

MULTI-YEAR BUDGET AND FINANCIAL PLAN

OPERATING STANDARDS	1976	1977	1978
G1 CONSOLIDATION/S.I.P.	277,600	300,000	300,000
G2 TARGET-CRIME AREAS	370,000	420,000	500,000
G3 SUPREME COURT STUDY/EVIDENCE	10,000	-0-	-0-
G5 Victim Comp. Study	20,000	-0-	-0-
TOTAL	677,600	720,000	800,000

Police

GENERAL STATEMENT AND FORECAST:

Service to the public and cooperation with related agencies should be of primary importance to local law enforcement. Agencies should provide requested assistance to the governing bodies of county and city government, to the public, to detainees and their visitors, as well as to prosecutors, defenders, judges, other enforcement personnel, correctional personnel and offenders returned to the community.

Law enforcement agencies should reduce non-police service but should actively encourage social agencies and volunteers to provide these services.

PROBLEMS AND NEEDS:

PROBLEM: The lack of capability to establish and maintain public information programs is acute. Such programs are needed to encourage crime prevention and reduction and active public participation in law enforcement service and responsibility.

Public assistance is needed to compel social agencies to provide services for which they are trained, funded and maintained.

NEED: Local law enforcement should take an aggressive role in establishing and maintaining public information programs addressed to all the varied audiences within the community. Agencies should provide training to officers in basic communication techniques and encourage contact with church, civic and school organizations (Program H-1).

PROBLEM: The relation of the lawman to the released offender is not properly defined. The officer should provide all possible assistance in readjustment.

NEED: Lawmen should take an aggressive role in assisting offenders to be released on their own recognizance, in establishing diversion programs, alcohol and drug treatment programs and aiding the readjustment of probationers and parolees returning to the community.

PROBLEM: In a rural state, inter-agency cooperation in investigations is extremely important. Mutual assistance arrangements are needed.

NEED: Plans for mutual assistance should be made between neighboring jurisdictions. Such plans might relate to investigations of specific crimes such as drug abuse, to the sharing of equipment, or to providing back-up manpower.

Courts, Prosecution, and Defense

See Operating Standards and Education.

Corrections

GENERAL STATEMENT AND FORECAST:

The services the correctional system must provide include services to the offender during incarceration and continuing services after his release from custody.

The most important service, however, is that due society. Through rehabilitation and reduction in recidivism the citizen receives a certain degree of indirect protection. Considerable tax savings are realized through decreased incarceration costs. A reduction in crime in terms of lives and property also should be realized.

The multi-year program proposes that specific services be coordinated. Many existing services and some new services must be brought to use by those working in rehabilitation.

PROBLEMS AND NEEDS:

PROBLEM: It is difficult to provide Montana State Prison inmates with necessary services other than food and shelter because few facilities and resources are available locally. Consequently, the service provided to the public is only temporary protection.

NEED: With the construction of a new facility, a greater service area will be provided. Rehabilitation programs may be begun at the prison and continued following the prisoners release. With the beginning of an adequate rehabilitation process at the prison and its continuance on the street, the citizen will be provided long-term relief.

PROBLEM: Many services that should be provided by the probation and parole authority are impossible because of current workloads.

NEED: Probation and parole officers must see that the rehabilitative process begun at the prison is continued in the community. By 1975, the field officers should have a reduced caseload. Each officer should provide each client enough time to insure access to every available service and understanding of his rehabilitation need.

PROBLEM: Some services that could be offered to those incarcerated in the local jails and others residing in half-way houses are not being used (e.g., health, mental health, counseling, welfare, employment, etc.).

NEED: A community services officer (existing probation and parole officer) under the direction of the administrator of the Division of Corrections must identify every available service and insure each person in the system receives full benefits of existing services.

MULTI-YEAR BUDGET AND FINANCIAL PLAN

SERVICES		1976	1977	1978
H1	COMMUNITY AWARENESS C.J.A.	20,000	25,000	30,000
H2	JUVENILE INTENSIVE COUNSELING	10,000	10,000	10,000
H3	Court Diversion	10,000	30,000	40,000
	TOTAL	40,000	65,000	80,000

INFORMATION SYSTEMS

All Components

GENERAL STATEMENT AND FORECAST:

All criminal justice agencies will require substantially more information in the next 10 years. This information must be timely and in proper format to aid in decision making. It will be required for both operational and management purposes.

The information will assist local and state criminal justice agencies in the apprehension of criminals, the reduction of personal risk to arresting officers, and expeditious handling of court cases, and the effective treatment of offenders. It will aid in planning, organizing, directing, and evaluating activities for which statistical data is important.

PROBLEMS AND NEEDS:

PROBLEM: An integrated network of criminal justice information systems must be developed for collecting, processing, and disseminating data. Considerable use of the latest technology involving computers, telecommunications, and terminals will be required to operate a single, complete information network linking all criminal justice agencies. The network must be operational on a 24-hour, 7-day-a-week basis (program I-1).

The criminal justice system network must correspond to the 4 levels of governmental jurisdiction. The first level consists of information and statistical data gathered by the federal government. The second level includes the activities conducted by the state. The third level is criminal justice information and statistical systems maintained by local jurisdictions--these should be a joint city and county endeavor. The fourth level is the information needs of the individual criminal justice components: police, courts, and corrections.

A mandatory reporting law authorizing the state to collect criminal justice data on standard forms must be enacted. Other legislation would be required to establish a security and privacy council with authority to adopt and administer security and privacy standards for criminal justice information systems. Such standards should consider purging, access, and dissemination of criminal offender data.

NEED: Standards must be established for the design and operation of the systems to facilitate inter-system communication and to insure the integrity and security of data. Standards also will be necessary for system interfaces, technical design (including data and programs), and security and privacy procedures.

The state should provide the following services as part of the criminal justice information system:

on-line data fulfilling common informational needs for criminal justice agencies;

a computer-to-computer interface or remote job entry interface with Montana State Prison for access to corrections data;

access by computer interface to vehicle and driver files maintained by non-criminal justice agencies;

maintenance of state computer dedicated solely to and controlled by criminal justice agencies;

all necessary telecommunications and terminals for access to local users in all 56 counties, either by computer-to-computer interface, remote job entry interface, or direct terminal link;

the computerized switching of agency-to-agency messages for all intrastate users and routine transmission of messages to and from qualified agencies in other states;

a high-speed interface to NCIC files and indexes;

the reporting of offender-based transaction and uniform crime report statistics to the federal government;

preparation of a yearly master plan for the development and maintenance of the integrated network of criminal justice information systems;

arrangement for the audit and inspection of state and local information systems;

technical assistance and training to all criminal justice agencies in data collection methods, system development, statistical analysis, data processing, telecommunications, and planning and evaluation.

Local, automated information systems would be developed in more populated areas to satisfy joint city and county needs. These systems would be operated on local shared computers or by remote job entry from the state dedicated computer. The local criminal justice information systems would be located in Billings, Great Falls, Missoula, Butte, Helena, Bozeman and Kalispell.

These locations would develop a combination of manual and automated systems relative to police and court functions. All of the functions may not be required at every location.

Other local criminal justice agencies would develop manual systems to satisfy their information needs.

Corrections

GENERAL STATEMENT AND FORECAST:

In any system or endeavor people rely upon accurate information to discharge their duties. Information, like equipment, is a necessary tool to complete any assigned task. Corrections requires vast amounts of background information.

Beginning in 1974, a correctional records information system will be established and continually updated. The information system will store and retrieve data pertaining to each phase of the system and about each individual in the system.

The information collected will be used in diagnosis, sentencing and evaluation.

PROBLEMS AND NEEDS:

PROBLEM: The records of the state prison are not easily retrievable for use elsewhere. Furthermore, the prison records are not standardized which makes comparison more difficult. The prison does not have easy access to records of those persons in other parts of the system.

NEED: There exists a need to standardize record-keeping and maintain all records in a central location so that each correctional agency may easily retrieve information needed for its purposes.

PROBLEM: The members of the Board of Pardons and the field service personnel do not have easy access to needed information about the persons coming before the Board of Pardons or those released from prison to their charge.

NEED: The parole and probation authority must have access to speedy, reliable information about the individuals who will appear at parole hearings. The field officer must have background information concerning correctional benefits afforded his client. Central records within the Division of Corrections should, by 1976, be able to disclose accurate information readily.

PROBLEM: We cannot at this time pinpoint where in the system an individual is at any given time. Once a person is discharged from the system into the community, we must be able to evaluate the effectiveness of the correctional process through information. The district judges need information prior to sentencing.

NEED: A central correctional records information system housed within the Division of Corrections could easily provide the necessary records and information to determine where the person is in the system, or if he is outside the system, provide necessary evaluative information. It also could provide the sentencing authority with information required.

The information system must be at full capability by 1976.

Communications

GENERAL STATEMENT AND FORECAST:

The mountainous terrain of Montana has made implementation of a statewide radio system costly and slow. However, with addition of the anticipated repeater systems and equipment purchases, the state system will be essentially complete.

With the expansion of LETS, almost all localities have 24-hour access to NCIC, the state ID Bureau, and state motor vehicle information.

PROBLEMS AND NEEDS:

PROBLEM: Some agencies in rural areas are too small to sustain 24-hour dispatch. There are still some localities without links to 24-hour stations having MLETS and NCIC service. The Electronic Research Laboratory of Montana State University is under contract to handle the many inherent radio licensing problems.

NEED: Completion of the repeater system will provide for rural dispatch. The MLETS must be updated and expanded to provide service to all localities. In rural agencies, appropriate terminals interfaced to the nearest 24-hour service agency are needed.

Improvements in the Great Falls Police communication system planned for 1975-76 will complete the overall state voice radio system.

MULTI-YEAR BUDGET AND FINANCIAL PLAN

INFORMATION SERVICES

		1976	1977	1978
I-1	C.J.S. INFORMATION SYSTEM	40,000	40,000	40,000
I-2	COMMUNICATIONS	88,500	75,000	75,000
I-3	L.E.T.S.	50,000	-0-	-0-
I-4	STATEWIDE C.J.S. INFORMATION SERVICES	150,000	200,000	200,000
I-5	JUVENILE INFORMATION	20,000	-0-	-0-

HIGH CRIME INCIDENCE/LAW ENFORCEMENT ACTIVITY AREAS

GENERAL STATEMENT AND FORECAST:

The major needs and problems in the areas classified as high crime incidence/law enforcement activity areas for the purposes of this plan are similar to needs and problems throughout the state. Therefore, the following discussion of needs and problems in these areas should be read in conjunction with the preceding general statement of needs and problems for the entire criminal justice system. Only the needs of local law enforcement are considered, as the courts, corrections, and juvenile justice operations are a part of the total state system.

The following discussion is restricted to the city/county areas of Billings/Yellowstone County, Great Falls/Cascade County, and Missoula/Missoula County.

MANPOWER

PROBLEMS AND NEEDS:

PROBLEM: Based on the nationally recommended average of 2 sworn officers per 1,000 population, the present state ratio of 1.59 sworn officers shows a need for additional manpower.

NEED: The obvious need is for additional manpower. The alternative is to insure, through an appropriate research program, that present patrol procedures are operating at peak efficiency. At least one of the major county areas has limited financial capability; therefore, peak efficiency may be the only feasible solution. Sharing of resources may provide a third alternative, and is discussed below under facilities and services provided.

TRAINING

PROBLEMS AND NEEDS:

PROBLEM: The training program in the three areas is presently classified as adequate. All of the departments have extensive in-service training programs and all personnel are given the opportunity to attend specialized training throughout the nation. The only potential problem is coordinating the activities of local in-service training with the Montana Law Enforcement Academy Program and certification of local programs under POST. These larger communities could provide a valuable resource to surrounding counties by expanding their training capability to include multi-county training support.

NEED: The primary need is to coordinate and implement necessary procedures to insure compatibility with the Academy. A secondary need is expansion of local training programs to gain POST certification. Finally, the local agencies with the support of both the Academy and the POST Council should investigate the feasibility of establishing regional training centers.

A regional training center should not take the place of the Academy but should become a supporting arm, if the concept is found feasible.

EDUCATION

PROBLEMS AND NEEDS:

PROBLEM: Very few officers have a formal education beyond high school graduation. This fact appears to create some problems in the administrative positions. As a general rule, the basic patrolman can function professionally without advanced education but, as he advances in rank, additional education would be appropriate.

NEED: The first need is for each department to assess the educational level of their personnel and to establish levels for ranking officers. Upon completing the assessment, departments should implement procedures to insure compliance with established standards. LEEP and other advanced educational programs should be viewed as potential resources. Recruitment procedures should be reviewed to test the feasibility of selecting personnel with advanced degrees.

EQUIPMENT

PROBLEMS AND NEEDS:

PROBLEM: These areas are presently well equipped in basic and most specialized equipment. The only problem is that of continual maintenance required for all equipment.

NEED: The primary need in the equipment area is appropriate inventory control procedures to establish adequate maintenance and restocking levels. In two of the counties it might be feasible to include such controls in existing data-processing machinery.

FACILITIES

PROBLEMS AND NEEDS:

PROBLEM: Each of the counties classified as high-crime areas has an adequate law enforcement facility and all have plans for expanding the various facilities to accommodate city-county cooperative efforts in varying degrees.

NEED: The main need is to expand and accelerate the existing efforts to establish joint facilities. Considerable planning and some action is taking place in the three counties regarding the consolidation of record and communications systems.

Eradication of duplicative services should make any effort in this area worthwhile.

WORKLOADS

PROBLEMS AND NEEDS:

PROBLEM: Any problem connected to this category is related to Manpower, page 294.

SERVICES PROVIDED

PROBLEMS AND NEEDS:

PROBLEM: All three of the communities involved are leaders in this category. All are providing multi-county assistance in combatting crime. Actually, the only problem the counties have is financing detection and deterence outside of the county borders.

NEED: The need is the basic one - money. Cities and counties are limited in the capability to expend funds in areas outside their own jurisdiction. Financial procedures, perhaps mutli-county agreements, should be developed to accommodate investigative teams crossing jurisdictional lines.

INFORMATION SYSTEMS

PROBLEMS AND NEEDS:

PROBLEM: Although all areas are moving toward a degree of sophistication in their records systems, it still constitutes a major problem and deep concern to law enforcement. The counties in this discussion are now at a point where manual record systems are extremely costly and inefficient. These communities, with their high rate of criminal activity, will provide the major foundation for input into any CCH system and operational systems including wants, warrants and stolen property.

NEED: Initially, the greatest need is to replace the manual record systems with an automated system. Such a system should encompass the total needs of the area, in other words, at least the combined needs of the cities and counties. The national standards portray the general needs of these communities quite adequately:

- Define the proper functions of a police information system.
- Utilize information to improve the departments crime analysis capability.
- Develop a police manpower resource allocation and control system.

- Expand collection of crime data.
- Insure quality control of crime data.

MULTI-YEAR BUDGET AND FINANCIAL PLAN

	1976	1977	1978
G2 Target-Crime Areas	370,000	420,000	500,000
TOTAL	370,000	420,000	500,000

PART THREE: THE ANNUAL ACTION PROGRAMS

SUMMARY REFERENCE TO ACTION PROGRAMS

Action Programs	Federal	State/Local	Total	%Federal	Page
A-1	11,000	1,300	12,300	90	301
A-2	79,000	79,000	158,000	75/50/25	302
A-3	48,000	48,000	96,000	75/50/25	303
A-5	70,000	7,800	77,800	90	305
A-7	9,000	1,000	10,000	90	307
A-9	27,000	3,000	30,000	90	308
A-10	27,000	3,000	30,000	90	310
TOTAL	271,000	143,100	414,100		
B-1	80,000	9,000	89,000	90	312
B-3	16,000	1,800	17,800	90	313
B-4	20,000	2,300	22,300	90	315
B-6	10,000	1,200	11,200	90	316
B-7	45,000	5,000	50,000	90	317
B-8	6,000	700	6,700	90	319
B-9	10,000	1,200	11,200	90	320
B-10	900	100	1,000	90	322
B-12	6,500	800	7,300	90	323
B-13	15,000	1,700	16,700	90	324
TOTAL	209,400	23,800	233,200		
C-2	25,000	2,800	27,800	90	326
C-3	51,000	5,700	56,700	90	327
C-4	10,000	1,200	11,200	90	328
TOTAL	86,000	9,700	95,700		
D-1	70,000	24,000	94,000	75	330
D-3	500	60	560	90	331
TOTAL	70,500	24,060	94,560		
E-3	20,000	20,000	40,000	50	332
E-4	40,000	23,000	63,000	90/50	333
E-5	90,000	90,000	180,000	50	335
TOTAL	150,000	133,000	283,000		
F-3	5,000	600	5,600	90	336

SUMMARY REFERENCE TO ACTION PROGRAMS

(continued)

Action Programs	Federal	State/Local	Total	% Federal	Page
G-1	277,600	111,000	388,600	90/50	337
G-2	370,000	42,000	412,000	90	339
G-3	10,000	1,200	11,200	90	341
G-5	20,000	2,300	22,300	90	343
TOTAL	677,600	156,500	834,100		
H-1	20,000	2,300	22,300	90	344
H-2	10,000	1,200	11,200	90	346
H-4	10,000	1,200	11,200	90	347
TOTAL	40,000	4,700	44,700		
I-1	40,000	4,500	44,500	90	349
I-2	88,500	29,500	118,000	75	350
I-3	50,000	5,600	55,600	90	352
I-4	150,000	17,000	167,000	90	353
I-5	20,000	2,300	22,300	90	354
TOTAL	348,500	58,900	407,400		
PART C GRAND TOTAL	1,858,000	554,360	2,412,360		
PART E	200,000	23,000	223,000	90	356
TOTAL	2,058,000	577,360	2,635,360		

TITLE: Replacement Manpower (A-1)

PROBLEM: Due to budgetary limitations, law enforcement agencies with 10 or fewer sworn officers are unable to employ additional manpower to fill necessary shifts when a regular officer is attending the law enforcement academy. Without the additional manpower the regular officer is unable to be released from duty for training.

OBJECTIVE: To provide law enforcement agencies with 10 or fewer sworn officers a replacement officer while a regular officer attends the Montana Law Enforcement Academy for specific training.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for Standards and Goals progress.

IMPLEMENTATION: Law enforcement agencies with 10 or fewer sworn officers, demonstrating a financial need, will receive assistance to hire a retired or active officer willing to accept temporary employment as a replacement while a regular officer is attending either the Basic, Intermediate, or Legal schools at the Montana Law Enforcement Academy. Technical assistance deemed necessary by agencies will be furnished in accordance with guidelines on pages 384-386.

SUBGRANT DATA: This program is designed only for those law enforcement agencies that have 10 or fewer sworn officers. It covers only specific courses at the Montana Law Enforcement Academy; Basic, Intermediate, and Legal. Approximately 15 subgrants are anticipated in a monetary range from $200 to $1,100.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	11,000	1,300	12,300	90/10

EVALUATION:

a) No sources of evaluation data were consulted in development of this program.
b) There has been no evaluation data available to influence the development of this program.
c) An internal assessment should be sufficient for evaluating this program area. Because of the minimal amount of funds it is not a priority category of the SPA evaluation staff. Agencies requesting funds under this program are required to perform an internal assessment of their project. Guides for preparing a subgrant application narrative capable of internal assessment are outlined on page four of the MBCC Instruction, Grant Application booklet.

TITLE: Post-Graduate Employment (A-2)

PROBLEM: Many criminal justice agencies are unable to meet the increasing demands for service in criminal matters due to the lack of adequate numbers of sworn officers. Criminal justice budgets are not adequate to effect an immediate manpower increase nor are there any indications of projected increases in a relatively short time.

OBJECTIVE: To provide new and continued support through subsidized employment for criminal justice graduates in law enforcement agencies which demonstrate a willingness to hire a graduate and the financial ability to assume a portion of the cost.

To effect an immediate increase in the number of sworn officers within law enforcement departments with a long-range increase in the level of law enforcement professionalism.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for Standards and Goals progress.

IMPLEMENTATION: Funds will be limited to agencies requiring manpower and financial support which express an interest in employing a criminal justice graduate with either an Associate or Bachelor's degree. Funding will be for salaries on a 3-year declining scale. The first year, federal funds will provide 75% of salaries to a 25% local fund match. The second year will be based upon a 50%-50% match, and the third year on a 25% federal and 75% local match. Travel, per diem, and operating expenses will be the responsibility of local government.

Should federal funds be reduced or terminated, the local governments participating in this program will be required to assume financial responsibility for personnel or terminate their employment.

Any technical assistance necessary will be furnished in accordance with guidelines on pages 384-386.

SUBGRANT DATA: Approximately 9 subgrants are anticipated under this program in the monetary range from $4,000 to $10,000, not to exceed $79,000 totally.

Local governments with a demonstrable manpower need and evidencing financial hardship in meeting those needs will be considered as priority departments.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	79,000	79,000	158,000	75/25 50/50 25/75

EVALUATION:

a) Sixteen current or expired projects reviewed by staff evaluators provided information used in developing the program and projects for this program category.

b) Ten percent of the total funds allocated in the 1975 action grant year received evaluation input. This evaluation input was used to determine progress and problems provided to management for the decision making process for continuation of this program. Based on marked improvement in local projects, the program will continue.

c) Planning and evaluation staff decided a minimal need for future evaluation continues for this program. The projects in progress in the 1975 grant action year will provide sufficient information for evaluation. Agencies requesting funds under this program are required to perform internal assessment of their project. Guides for preparing a subgrant application narrative capable of internal assessment are outlined on page four, number six of the MBCC Instruction, Grant Application booklet.

TITLE: JUVENILE PROBATION MANPOWER ASSISTANCE (A-3)

PROBLEM: Montana's juvenile court personnel are handicapped by large caseloads and broad geographic areas. The urban areas of the state need additional manpower to develop special services such as intake, resource development, and additional counseling services. Rural areas need additional support to adequately serve the large geographic areas.

OBJECTIVE: This program is designed to subsidize the employment of 7 deputy probation officers to reduce the caseload of individual officers to a level not greater than 50 cases. Two of the officers will be employed in communities not previously having juvenile probation service.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for Standards and Goals progress.

IMPLEMENTATION: Seven deputies having the minimum qualifications established by law will be hired. Each deputy will be under the direct supervision of a chief probation officer.

Funding will be limited to 75 percent of the actual salary. The remaining 25 percent of the salary and incidental expenses such as travel, per diem, and operating expenses will be the responsibility of the county. Subgrants will be awarded with the understanding that the federal share of the subsidy will decrease over a three-year period. Continuation funds will be available to participating counties willing to increase their share of the subsidy by 25 percent each year. Any technical assistance necessary will be furnished according to guidelines on pages 384-386.

SUBGRANT DATA: Seven subgrants to county governments are anticipated. Counties in judicial districts 1, 3, 4, 8, 11, 12, 16, and 18 will be eligible for funding.

A total of 7 grants are anticipated under this program. All grants will be to county government.

Each subgrant is made with the understanding that the federal share of the project will decrease over a 3-year period. The first year funding will be 75% federal and 25% local. Continuation funds will be available if the grantee increases his proportionate share of the total project cost by 25% over the previous year. Second and third year funding will be based on a percentage of the first year's budget, thus salary increases are the responsibility of local government.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	48,000	48,000	96,000	75/25 50/50 25/75

EVALUATION:

a) Twenty-one current or expired projects reviewed by staff evaluators provided information used in developing the program and projects for this program category.

b) Sixty-three percent of the total funds allocated for the 1975 action grant year received evaluation input. This evaluation input was used to determine progress and problems provided to management for decision-making process for continuation of this program. Based on marked improvement in local projects, the program will continue.

c) Planning and evaluation staff decided a minimal need for future evaluation continues for this program. One program level 1 evaluation will be done during the 1976 grant action year to include at least four project level 1 evaluations to assess progress. Agencies requesting funds under this program are encouraged to obtain SPA staff assistance in developing their subgrant narrative to include evaluation criteria, or to assist them in developing a capability for internal assessment at the local level. See MBCC Instruction, Grant Application booklet, page four.

TITLE: Clinical Services/Correctional Diagnosis Center A-5)

PROBLEM: There is a need to provide for diagnostic testing, evaluation, and clinical services for various residents of Montana's adult correctional facilities. The courts especially need adequate evaluation to make appropriate sentencing decisions.

OBJECTIVES: 1.) To continue or expand psychological and sociological clinical services.

2.) To establish and maintain a diagnostic testing and evaluation center for providing extensive medical and psychological evaluation of selected convicted felons.

RELATIONSHIP TO STANDARDS AND GOALS: Refer to pages 191-201 for relationship to Standards and Goals.

IMPLEMENTATION: Funding requests are planned to include two requests from adult corrections, one to continue or expand a clinical services division, employing a clinical psychologist as project director and utilizing University of Montana faculty and graduate intern students in psychology and sociology.

The other request will be for establishing the Correctional Diagnostic Center, providing completed evaluations which will be useful in determining the best method of rehabilitating the adult offender. This center's service, anticipated to take 40-90 days depending upon the individual case, will be available to the court prior to sentencing.

The site chosen for this project will be located centrally enough to facilitate transfer of prisoners. It is expected that the program will continue indefinitely. Federal funding will be required through 1976.

Technical assistance will be available as outlined on pages 384-386.

SUBGRANT DATA: All subgrants under this category will be awarded to the Department of Institutions.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	70,000	7,800	77,800	90/10

EVALUATION:

a) One current project reviewed by staff evaluators provided information used in developing the program and projects for this program category.

b) Increased funding is provided in this area, partially due to evaluation data providing a basis for the future administration of this project. Grant action year 1975 provided much information; however, the planning and evaluation staff desire additional evaluation input to determine the future status of this project based on 1976 grant action year.

c) In view of the increased amount of funding and desire for additional evaluation information, the project is a high priority for evaluation in the corrections area. It will be evaluated at a level 2 or level 3 by SPA staff evaluators. Therefore, agencies requesting funds in this program are encouraged to request SPA technical assistance in writing their subgrant narrative to include evaluation criteria. Only those applicants meeting subgrant narrative requirements listed on MBCC Instruction, Grant Application booklet page four will be funded.

TITLE: Volunteer Auxiliary Police (A-7)

PROBLEM: Many law enforcement agencies are unable to meet the increasing demands for service in criminal matters. Sworn officers are diverted from law enforcement duties to perform civil or support service functions.

OBJECTIVE: To help law enforcement agencies augment their staffs so that sworn officers may be relieved of non-law enforcement functions or have assistance in coping with unique deployment problems.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for Standards and Goals progress.

IMPLEMENTATION: Under this program funding will be available only to areas of the state with a crime index rate over 3990. Since the auxiliary is a volunteer organization, funding will be available only for training and equipment (no salaries). Law enforcement agencies requesting funds must organize the auxiliary in accordance with the guidelines to be established by the Montana Peace Officers Standards and Training Council. The auxiliary unit is to be organized to enhance the utilization of sworn personnel in the area of law enforcement by substituting civilian volunteers to handle non-arrest functions. This program excludes search and rescue organizations. Technical assistance will be rendered in accordance with guidelines on pages 384-386.

SUBGRANT DATA: Funding will only be available to areas of the state with a crime index rate over 3990/100,000 population.

The auxiliary unit must be organized in accordance with the guidelines to be established by the Montana Peace Officers Standards and Training Council.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	9,000	1,000	10,000	90/10

EVALUATION:

a) No sources of evaluation data were consulted in development of this program.

b) There has been no evaluation data available to influence the development of this program.

c) This program area is very controversial and the chance of replication of projects of this nature is expected. Therefore, this program is considered a high priority for evaluation in the law enforcement area based on planning desire for more evaluation input to determine whether the program should be continued, modified or terminated. A great deal of this determination will be based on 1976 grant action year project assessments. At least 2 grants will be evaluated at a level 2 by SPA staff evaluators. Agencies requesting funds in this program area are strongly recommended to request SPA technical assistance in writing their subgrant narrative requirements listed in the MBCC Instruction, Grant Application booklet, page four

TITLE: Division of Corrections Administrator (A-9)

PROBLEM: There is no central authority for leadership in planning, scope, and direction of corrections program and philosophy.

OBJECTIVE: To administratively create, as authorized by the policies of executive reorganization and with the consent of the Governor's Office, a division of corrections that would administratively control those correctional institutions and programs that currently are the responsibility of the Department of Institutions:

Further objectives are:

(1) To create a central administration that would bring together, under one roof, a number of key managerial functions previously carried out to a large extent at the institutional level, but properly belonging in a central authority;

(2) To develop stronger, closer ties between the services available to offenders while confined to institutions and those provided them upon their release into the community;

(3) To improve communications among personnel within institutions, as well as between the institutional staff and community based correctional workers. The duties of the Division Administrator will be as:

a. Establish the Correctional Officers Standards and Training Council
b. Develop liaison with POST Council;
c. Implement objectives as established by C.O.S.T. Council; consistent with Department of Institutions and MBCC guidelines.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for relationship to Standards & Goals.

IMPLEMENTATION: One new position is anticipated to implement the proposed organization of existing correctional agencies within this department - the position of Division Administrator.

The Division Administrator would receive supportive services from the existing staff functions of the Department's central office such as Audit and Accounting, Research and Evaluation, Personnel, Legal Counsel, and other needed services.

The Division Administrator would be directly accountable and responsible to the Director of the Department of Institutions. Technical assistance deemed necessary will be rendered in accordance with guidelines on pages 384-386.

SUBGRANT DATA: One subgrant not to exceed $27,000 will be made available to the Department of Institutions to implement this program.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	27,000	3,000	30,000	90/10

EVALUATION:

a) One project utilizing all program funds allocated in the 1975 grant action year will provide a data base for planning and project assessment in this program category.

b) An evaluation review by SPA staff evaluators of local project evaluation efforts will be done to determine results for the decision making process for continuation of this project.

c) In the 1976 grant action year, a level 1 evaluation will be conducted by SPA evaluation staff. This review will assess project staff evaluation planning and operation strategy. Coordination efforts will be made between the project staff and SPA evaluation staff to measure any results or impact of the project. An agency requesting funds under this program is encouraged to obtain SPA staff assistance in developing its subgrant narrative to include evaluation criteria, or to assist it in developing a capability for internal assessment at the local level.

TITLE: Courts Coordinator (A-10)

PROBLEM: Courts of general and limited jurisdiction are unable to assess their needs on a statewide basis because of a lack of uniform recordkeeping and reporting and because there is no flow of information about judicial administration.

OBJECTIVE: A courts coordinator will be employed by the Montana Supreme Court to coordinate the activities of the judicial officers in Montana and to collect and analyze courts data.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for statement on standards and goals.

IMPLEMENTATION: Based upon a resolution drawn by the state's district judges to the Supreme Court of Montana, funds are being provided to establish a position entitled "courts coordinator" with the Supreme Court of Montana.

This project provides funds for the supreme court to employ a courts coordinator. The post was filled as of October 6, 1975.

A board of directors composed of two district judges and one supreme court justice will be instituted to supervise the activities of the coordinator.

The Courts Coordinator will assist the judicial branch of the state in areas such as:

1. Assuming the duties of budget and finance officer;
2. Presenting budget and financial needs of the various judicial officers to the legislature;
3. Presenting and following necessary legislation;
4. Disseminating information to all judges;
5. Assisting judges with subgrants for financial assistance from federal funds;
6. Developing and implementing training programs for judicial officers;
7. Implementing court improvement programs adopted by the Supreme Court of Montana;
8. Collecting and distributing court rules for both district courts and courts of limited jurisdiction;
9. Generally assisting all judges upon request.

This program will be funded over a 2-year period, during which time funding will become the responsibility of the State of Montana. Any necessary technical assistance will be supplied in accordance with guidelines on pages 384-386.

SUBGRANT DATA: One subgrant will be made to the Supreme Court of Montana in an amount not to exceed $27,000.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	27,000	3,000	30,000	90/10

EVALUATION:

a) No sources of evaluation data were consulted in development of this program.

b) There has been no evaluation data available to influence the development of this program.

c) This project will be in second year operation and it is not anticipated that funding will be continued. There will be no SPA staff evaluation after the 1976 action grant year. The agency requesting funds under this program is required to perform internal assessment of its project. Guides for preparing a subgrant application narrative capable of internal assessment are outlined on page four of the MBCC Instruction Grant Application booklet.

TITLE: Montana Law Enforcement Academy (B-1)

PROBLEM: It is essential that established minimum standards of training be maintained for effective law enforcement and it is generally recognized that advanced training is necessary for the development of law enforcement professionalism.

Many law enforcement administrators have risen through the ranks without the benefit of training in administrative skills.

OBJECTIVES: To continually develop needed training programs including a field, in-service training capacity.

To make training available to local law enforcement agencies so that minimum standards of training and advanced training requirements can be obtained.

To assist in the development of modern police administration.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for Standards and Goals progress.

IMPLEMENTATION: This program is intended to continue and expand the high quality and amount of training at the Montana Law Enforcement Academy based on law enforcement departmental needs, Peace Officers Standards and Training Council requirements, Supreme Court decisions, and new law enforcement techniques. Sixty-five weeks of instruction encompassing 37 or more schools are being planned. It is anticipated that approximately 800 criminal justice personnel will participate in this training.

Historically, the Board of Crime Control has projected future funding of the academy, but a reduction of support has been in process. It is now projected that by the end of 1976 federal support will no longer be necessary for the operation and expansion of the academy. Necessary technical assistance will be furnished in accordance with guidelines on pages 384-386.

SUBGRANT DATA: One subgrant will be made available to the Montana Law Enforcement Academy Bureau of the Department of Justice in an amount not to exceed $80,000.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	80,000	9,000	89,000	90/10

EVALUATION

a) No sources of evaluation data were consulted in development of this program.

b) There has been no evaluation data available to influence the development of this program.

c) The project in this program will not be evaluated by SPA evaluation staff. It is anticipated this project will be supported by legislative appropriation and 1976 will be the last funded year through the Montana Board of Crime Control. An internal assessment of this project will provide project results and impact. The agency requesting funds under this program is required to perform an internal assessment of its project. Guides for preparing a subgrant application narrative capable of internal assessment are outlined on page four, number six of the MBCC Instruction, Grant Application booklet.

TITLE: Peace Officers Standards and Training Council (B-3)

PROBLEM: Personnel policies of law enforcement agencies generally do not provide adequate standards for recruitment, training, and career advancement of sworn officers. Few law enforcement agencies use an entrance examination to determine the psychological suitability of recruits, nor do many offer promotions, raises, or other incentives to advanced training and higher education.

No other funds which are adequate to address these problems have been budgeted.

OBJECTIVES: To continue the development of a regulatory body to control standards for the selection and training of law enforcement personnel through certification requirements.

To serve as a catalyst for the development of innovative projects for the professional growth of law enforcement personnel.

To continue the regional training program for law enforcement in cooperation with the Montana Law Enforcement Academy.

To continue the development of an executive level training curriculum for police chiefs and sheriffs.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for Standards and Goals progress.

IMPLEMENTATION: This program is to continue the regulatory functions and operations of the P.O.S.T. Council. Plans for the 1976 action year include: expansion of the video-cassette training program; sponsoring an intelligence school; issuance of informational handouts and preparing procedural manuals; promulgation of rules governing the selection and training of uncompensated law enforcement volunteers; providing in-service training to small agencies; designing training courses for managerial personnel.

In previous years the Montana Board of Crime Control has supported the P.O.S.T. Council with declining levels of funds. It is projected that 1976 will be the last year that federal funding will be necessary for P.O.S.T. to operate. Any necessary technical assistance will be rendered in accordance with guidelines on pages 384-386.

SUBGRANT DATA: One subgrant will be made available to the Peace Officers Standards and Training council in an amount not to exceed $16,000.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	16,000	1,800	17,800	90/10

EVALUATION:

a) No sources of evaluation data were consulted in development of this program.

b) There has been no evaluation data available to influence the development of this program.

c) It is anticipated that the 1976 action grant year will be the last year for federal support of this project. Consequently, this program has no evaluation priority. The agency requesting funds under this program is required to perform an internal assessment of its project. Guides for preparing a subgrant application narrative capable of internal assessment are outlined on page four of the MBCC Instruction, Grant Application booklet.

TITLE: Out-of-State Training (B-4)

PROBLEM: Specialized criminal justice training exists outside Montana that is not available within the state system and many criminal justice budgets do not provide for this training.

OBJECTIVES: To provide travel, per diem, and tuition for criminal justice personnel to receive specialized training not available, but needed, within the state system. A secondary objective of this program is to develop a capability for specialized instruction at MLEA.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for relationship to standards and goals.

IMPLEMENTATION: Activities planned for which funding will be requested include travel, per diem, and tuition of personnel attending out-of-state schools.

Funds may be requested for attending such schools as the Federal Bureau of Investigation National Academy, National Training Institute, International Association of Chiefs of Police schools, National Sheriffs' Association seminars, and many other recognized training schools and academies.

Corrections personnel from both institutions and community-based operations also may apply for out-of-state schooling.

A few recognized schools with specialized training in-state may be funded under this program; i.e., Cascade Canine Academy.

Technical assistance will be available as outlined on pages 384-386.

SUBGRANT DATA: Due to the different time frame and costs involved it is not possible to project the anticipated number of subgrantees.

Subgrantees will be encouraged to share their training experiences with their colleagues in-state by offering to instruct in local agencies and at the Montana Law Enforcement Academy.

BUDGET:

	LEAA	State or Local	Total	Percentage
Part C	20,000	2,300	22,300	90/10

EVALUATION:

a) No sources of evaluation data were consulted in development of this program.

b) There has been no evaluation data available to influence the development of this program.

c) This category is a one-time training expenditure and will be reviewed through an internal assessment. Guides for preparing a subgrant application narrative capable of internal assessment are outlined on page four of the MBCC Instruction Grant Application booklet.

TITLE: Correctional Officers Standards and Training Council (B-6)

PROBLEM: At present, there are no comprehensive nor consistent guidelines regarding recruitment and training for correctional officers. For example, there is a great disparity between individual programs, such as those offered for correctional offices at Montana State Prison, and the lack of same for local jailers.

OBJECTIVE: The long range goal of this program is to establish a career development program for correctional personnel. Funding will be available for staff and operating costs of a council which will establish minimum standards for recruitment, training, and procedures for correctional personnel.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for relationship to standards and goals.

IMPLEMENTATION: Legislation is necessary to authorize a C.O.S.T. Committee and provide salary and budget for a professional staff to carry out the policy and directives of the committee. If this preliminary study shows that the program may be coordinated through the existing P.O.S.T. Council, legislation will not be necessary.

The correctional officers standards and training committee should be made up of approximately 8 persons from various segments of the criminal justice system, appointed by the Governor or the existing P.O.S.T. Committee. The newly appointed corrections administrator (see A-9) will provide leadership in this process and have overall legislative input responsibility.

The committee would set minimum standards of physical, educational, and mental fitness to govern the recruitment, selection, and appointment of correctional employees. It would also be responsible for certification of instructors and for training programs.

It is anticipated that the program will be continuing and require federal funding through 1977. Necessary technical assistance will be furnished in accordance with guidelines on pages 384-386.

SUBGRANT DATA: The program will require one subgrant in the amount of $10,000 to bring preliminary investigation of legislation and/or coordination with P.O.S.T.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	10,000	1,200	11,200	90/10

EVALUATION:

a) No sources of evaluation data were consulted in development of this program.

b) There has been no evaluation data available to influence the development of this program.

c) It has been determined that this program area is not a priority category requiring SPA staff evaluation. It is expected an internal assessment will be sufficient for measuring program results. The agency requesting funds under this program is required to perform an internal assessment of its project. Guides for preparing a subgrant application narrative capable of internal assessment are outlined on page four of the MBCC Instruction, Grant Application booklet.

TITLE: Juvenile Probation Officers Training (B-7)

PROBLEM: Although juvenile probation personnel comprise over 75% of community-based personnel working with delinquent youth, no comprehensive training program has been developed to serve these employees. Current training efforts consist of one or two sessions per year sponsored by the Probation Officers Association, and whatever training can be obtained through the individual efforts of probation personnel.

There is a need for a comprehensive training program utilizing all the resources of Montana's higher education system. It must also be accessible to rural employees, and employees who cannot leave their offices for extended periods of time.

This training must cover the basic areas of juvenile law, counseling procedures and techniques, community organization, and administration.

OBJECTIVE: The program will provide a minimum of 120 hours training in administration and/or treatment methodology to at least 50 percent of the juvenile probation officers.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for relationship to standards and goals.

IMPLEMENTATION: Funding may be requested for personnel, teaching aids, and travel and per diem to prepare and conduct the training.

A year-long training program consisting of a series of workshops is planned, and will involve instructors from many of the state's colleges and universities. Ideally, through the Montana Association of Criminal Justice Educators (MACJE), that will encourage the participation of each of the Association's members.

Necessary technical assistance will be furnished in accordance with guidelines on pages 384-386.

SUBGRANT DATA: One grant is anticipated to one of Montana's institutions of higher education. A consortium arrangement within the MACJE will determine the level and type of participation from the other colleges and universities. A training committee from the Probation Officers Association will set basic guidelines for course content and review the general effectiveness of the project.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	45,000	5,000	50,000	90/10

EVALUATION:

a) No sources of evaluation data were consulted in development of this program.

b) There has been no evaluation data available to influence the development of this program.

c) Agencies requesting funds under this program are required to perform internal assessment of their project. Guides for preparing a subgrant application narrative capable of internal assessment are outlined on page four of the MBCC Instruction, Grant Application booklet.

TITLE: Five State Judicial Conference (B-8)

PROBLEM: There is an absence of any requirement or regularized program for in-service training for appellate and trial court judges in Montana. Moreover, opportunities are rare for judges from rural states to discuss common needs and problems.

OBJECTIVE: To provide travel and per diem for a number of Montana trials and appellate judges to attend a three to four-day conference and training session involving other state court judges with similar problems.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for a statement on Standards and Goals.

IMPLEMENTATION: The activities planned for which funding will be requested include travel and per diem for a regional conference.

Five states will be involved in the training session. Judges from Wyoming, North and South Dakota, and Idaho will also attend.

This regional conference includes several excellent training sessions in its agenda, is widely attended, and is a step toward the provision of regular in-service training for appellate and trial court judges. Such an annual session has been funded for several years by LEAA - partly by block grants from the respective SPAs. It is anticipated that in the future, funding for this conference will be part of funding for a judicial training and education package to be financed, in part or in whole, through legislative appropriation to an expanded judicial budget. The 3 or 4-day conference will provide for training and discussion of court problems, solutions, plans for modernization, and an introduction to the rapidly expanding field of judicial administration. Necessary technical assistance will be furnished in accordance with guidelines on pages 384-386.

SUBGRANT DATA: One subgrant not to exceed $6,000 shall be made available to the Montana Supreme Court or to a sponsoring county government. The subgrant will handle travel and per diem expenses for Montana judges.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	6,000	700	6,700	90/10

EVALUATION:

a) No sources of evaluation data were consulted in the development of this program.

b) There has been no evaluation data available to influence the development of this program.

c) This program area is not a priority category for evaluation primarily because of the minimal amount of funds. Also, an internal assessment should be sufficient for evaluating the meeting. The agency requesting funds under this program is required to perform an internal assessment of its project. Guides for preparing a subgrant application narrative capable of internal assessment are outlined on page four of the MBCC Instruction, Grant Application booklet.

TITLE: County Attorney In-State Training (B-9)

PROBLEM: Prosecutors, especially those from rural areas who are part-time, have little opportunity for in-service training, either in-state or out-of-state. Broader and more systematized opportunities for in-service training are especially needed by rural county attorneys who find it difficult to adapt recommended procedures or techniques demanding a high level of administrative and technical sophistication.

OBJECTIVE: To provide one statewide and several local seminars concerning new legislation, criminal code changes, and methods of improved prosecutorial skills for county and deputy county attorneys. Each seminar will be attended by 30 to 40 prosecutors.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for a statement on standards and goals.

IMPLEMENTATION: This program operated by the county attorney training coordinator, provides both statewide and regional seminars especially geared to the needs of Montana county attorneys.

Consultant fees, teaching aids, transportation, and per diem costs may be requested.

Under the direction of the County Attorney Coordinator, one statewide and several regional seminars will be arranged. The statewide seminar will be held in conjunction with the annual meeting of the association of county attorneys. Regional seminars will be addressed to particular area needs and problems in prosecution.

It is anticipated that sources of future funding for a fully-developed training package for county attorneys will include state and local appropriations, contributions, and registration fees.

Effectiveness of criminal prosecution should show a marked improvement as a result of this training. Necessary technical assistance will be furnished in accordance with guidelines on pages 384-386.

SUBGRANT DATA: One subgrant to the office of the Montana County Attorney Training Coordinator is anticipated.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	10,000	1,200	11,200	90/10

EVALUATION:

a) No sources of evaluation data were consulted in development of this program.

b) There has been no evaluation data available to influence the development of this program.

c) It has been determined that this program area is not a priority category requiring an SPA staff evaluation component. It is expected an internal assessment should be sufficient for measuring program results. The agency requesting funds under this program is required to perform an internal assessment of its project. Guides for preparing a subgrant application narrative capable of internal assessment are outlined on page four of the MBCC Instruction, Grant Application booklet.

TITLE: Training for Clerks of the District Courts (B-10)

PROBLEM: Little training is available and none is required for clerks of court or other court staffers. Current opportunities are limited to those provided voluntarily by the clerks of court association.

A state-supported program that will upgrade and expand training sessions and materials for clerks of courts and other administrative personnel is needed.

OBJECTIVE: To provide all county clerks with the necessary training to record and report data on criminal trials. The data will be included in the criminal justice information system.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for a statement on standards and goals.

IMPLEMENTATION: This program is a cooperative effort between the Clerk of the Court Association and the Board of Crime Control. During the first year funds were requested for the development of uniform reporting forms, and a procedures manual, and for travel and per diem for clerks attending training workshops.

This year's funding is for travel and per diem for new clerks of court and additional training.

This project represents a continuation of MBCC funding for an annual meeting/training session for clerks of court and any needed updating of a handbook of procedures for recording and reporting data on the disposition of criminal cases.

Any necessary technical assistance will be provided in accordance with guidelines on pages 384-386.

Future funding is anticipated through legislative appropriation to a training and education program in the judicial budget and from local appropriation. Upgrading such training opportunities may be funded partly by action grants.

SUBGRANT DATA: One subgrant will be made to the Montana Clerk of Court Association not to exceed $900.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	900	100	1,000	90/10

EVALUATION:

a) No sources of evaluation data were consulted in development of this program.

b) There has been no evaluation data available to influence the development of this program.

c) This program area is not a priority category for SPA staff evaluation primarily since the minimal amount of funds does not appear to be large enough for an evaluation when an internal assessment will be sufficient. Agencies requesting funds under this program are required to perform an internal assessment of their project. Guides for preparing a subgrant application narrative capable of internal assessment are outlined on page four of the MBCC Instruction, Grant Application booklet.

TITLE: City Judge Seminar (B-12)

PROBLEM: Until 1975, city court judges (formerly called police judges) had no opportunity for in-service training, although in recent years some training has been mandated for justices of the peace. At the same time that the 1975 legislature expanded the jurisdiction of city courts to be concurrent with justice courts in most matters, it provided for an annual training session for all elected and appointed city court judges under the supervision of the state supreme court. No appropriation for consultant and teaching services, materials, etc., was made; however, training sessions and workshops for lower court judges should be expanded and increased, probably on a regional basis. A variety of handbooks, forms, and checklists should be provided.

OBJECTIVE: The objective of this program is to provide an education and training seminar for approximately 60 Montana police judges. The seminar will be designed specifically to aid the police judge in his daily responsibilities as a judicial officer and to help bring him up to date on current law and court methods.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for statement on standards and goals.

IMPLEMENTATION: Funding may be requested for consultant and teaching services, teaching aids, travel and per diem, and miscellaneous operation expenses for one in-state training session for city court judges.

It is expected that in-state training programs for city judges will be combined with those for justices of the peace and will be funded from the state judicial budget with planning and arrangement responsibilities residing in the Montana Magistrates' Association.

The session will be presented under the direction and with the guidance of the Montana Supreme Court. It will be taught by Montana judges and attorneys.

The session should improve the knowledge and functioning of the police judge who attends and also provide for a more efficient lower court system.

Necessary technical assistance will be provided as outlined on pages 384-386.

SUBGRANT DATA: One subgrant to the Montana Supreme Court in an amount not to exceed $6,500.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	6,500	800	7,300	90/10

EVALUATION:

a) No sources of evaluation data were consulted in development of this program.

b) There has been no evaluation data available to influence the development of this program.

c) This program area is not a priority category for SPA staff evaluation primarily since the minimal amount of funds does not appear to be large enough for evaluating when an internal assessment will be sufficient. Agencies requesting funds under this program are required to perform an internal assessment of their project. Guides for preparing a subgrant application narrative capable of internal assessment are outlined on page four of the MBCC Instruction, Grant Application booklet.

TITLE: Juvenile Justice Conference (B-13)

PROBLEM: As noted in the multi-year plan, in the absence of any requirement or regularized program for in-service or continuing education, many trial court judges find little time or opportunity for upgrading judicial skills.

Often, the district court judges, who are also the judges of the youth court in Montana, have little opportunity to communicate with the personnel of the other elements of the juvenile justice system except through the management and disposition of immediate problems.

Most judges are not updated on recent case law and federal legislation in the juvenile area, nor has there been a conference on Montana's new youth court act sponsored by the judiciary.

A regularized program of in-state, in-service training should be instituted for trial court judges. In the juvenile or youth court area, judges need an opportunity to become aware of the resources and problems of other aspects of the juvenile justice system. Judges and other juvenile justice personnel need education in recent developments in juvenile justice law.

OBJECTIVE: To provide in-service training on current juvenile problems and resources for 60 to 80 juvenile justice personnel.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for a statement on standards and goals.

IMPLEMENTATION: This project will provide for consultants, instructors travel and per diem,and travel and per diem for participants. The grant will also cover the costs of preparation and presentation for instructors and any educational materials employed.

Necessary technical assistance will be provided as outlined on pages 384-386.

SUBGRANT DATA: One subgrant will be made to the Montana Association of District Judges not to exceed $15,000.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	15,000	1,700	16,700	90/10

EVALUATION:

a) No sources of evaluation data were consulted in development of this program.

b) There has been no evaluation data available to influence the development of this program.

c) It is expected an internal assessment will provide enough information to assess the project's performance. An agency requesting funds under this program is required to perform an internal assessment of its project. Guides for preparing a subgrant application narrative capable of internal assessment are outlined on page four of the MBCC Instruction, Grant Application booklet.

TITLE: Public Education (C-2)

PROBLEM: The needs to publicize the activities and functions of LEAA and the state planning agency and to promote general awareness of the criminal justice system are not generally unmet. However, police-community relations seminars held around the state demonstrated a need on the part of law enforcement agencies to communicate with the public and solicit the public's assistance and cooperation in crime prevention activities.

OBJECTIVE: This program has three interrelated purposes: to increase public awareness of the LEAA and state planning agency function; to promote general awareness of the criminal justice system; and, to assist criminal justice agencies in developing a public communication capability.

IMPLEMENTATION: Funding may be requested for personnel, operating expenses, printing, and other costs involved in dissemination of information to the public.

To accomplish the three stated objectives, the SPA will continue its present public information services. This includes continuing employment of a public information officer to produce the agency newsletter "Checkmate," routine press releases, and special documents.

The agency program will be expanded to include multi-media campaigns for criminal justice system awareness. Feature and background releases will be made to increase general knowledge of LEAA and state programs and priorities. Special campaigns will be implemented, as needed, to inform the public about changes in Montana's criminal justice system.

The third objective of building a local communication capability will be met by providing technical assistance to agencies seeking to develop local programs. This assistance is available from the SPA specialist staff or the public information officer either directly or in the role of resource coordinator.

Informally, the program will work to strengthen communication among the various agencies in the system and to increase awareness of such components as part of an overall system.

SUBGRANT DATA: One subgrant not to exceed $27,800 is anticipated for the SPA.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	25,000	2,800	27,800	90/10

EVALUATION:

a) No sources of evaluation data were consulted in development of this program.

b) There has been no evaluation data available to influence the development of this program.

c) The agency requesting funds under this program is required to perform internal assessment of its project. Guides for preparing a subgrant application narrative capable of internal assessment are outlined on page four of the MBCC Instruction, Grant Application booklet.

TITLE: Criminal Justice Interns (C-3)

PROBLEM: Montana's institutions of higher education have made great strides in developing curricula for criminal justice education. However, education cannot take place totally in the protective environment of the academic world. Practical experience in the field is necessary if students are expected to obtain a meaningful education.

There is a need to expose criminal justice students to actual work experience. This should be in the form of an internship and available to criminal justice students, including law students.

OBJECTIVE: To provide actual work experience for 40 to 50 criminal justice and law school students through a 12-week internship with a criminal justice agency.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for a statement on standards and goals.

IMPLEMENTATION: Funding will be requested for salary, travel, per diem, and operating expenses of administering the program.

Emphasis on this program is being reduced. It is anticipated that, as funding declines, local governments will assume additional financial responsibility for the program.

Students are placed in agencies by the faculty of each institution, or the county attorney coordinator. Academy credit may be awarded for the work experience.

Through the program, students learn the realities of everyday criminal justice agency operations and gain responsibility by seeing their own impact upon the system.

The program has been beneficial to criminal justice agencies in past years in supplying needed manpower, and in recruiting students to return to work in Montana's criminal justice agencies following graduation.

Technical assistance deemed necessary to agencies will be provided as outlined on pages 384-386.

SUBGRANT DATA: Approximately 40-50 grants will be awarded to local government agencies or institutions of higher education. The Montana Association of Criminal Justice Educators will allocate a portion of the funds to be awarded to law interns and a portion to be awarded to student interns majoring or engaged in graduate work in fields related to criminal justice. The association will further apportion that segment of funds allocated to criminology interns among the colleges and universities participating in the program.

BUDGET:

	LEAA	State or Local	Total	Percentage
Part C	51,000	5,700	56,700	90/10

EVALUATION:

a) Several projects reviewed by staff evaluators provided information used in developing this program category.

b) Funding is provided in this program area for criminal justice interns to include LEEP students and law interns. Planning and evaluation staff decided that there is a minimal need for continued evaluation of these projects because of the minimal amount of funds involved and training is very brief.

c) Agencies requesting funds under this program are required to perform internal assessment of their project. Guides for preparing a subgrant application narrative capable of internal assessment are outlined on page four of MBCC Instruction, Grant Application booklet.

TITLE: Inmate Post-Secondary Education (C-4)

PROBLEM: There is a basic need to escape the routine of a structured environment, to explore capacities and interests. Prisoners can use post-secondary education for such a legitimate escape, in addition to preparing for a positive attitude upon release.

OBJECTIVE: The objectives of this program are, first, to provide college-level education to qualified inmates of Montana State Prison, and second, intensive individual counseling to strengthen positive attitudes towards education and society in general.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for a statement on standards and goals.

IMPLEMENTATION: This program is the continuation of a successful 1973 pilot program. Supplemental funding will be requested for tuition, books, and supplies for participating inmates.

Prime funding comes from Vocational Rehabilitation of Montana Social Rehabilitation Services, Veterans Administration, and beginning September 1, 1975, the University of Montana will take individual inmate applications for Basic Educational Opportunity Grants. Enrollment in the program has been increasing annually 6-10%.

The American College Test is administered to determine eligibility and an analysis of test results is provided to each inmate tested. All testing, instruction, and individual counseling is done by faculty of the University of Montana.

SUBGRANT DATA: It is anticipated that following third year evaluation and possible modification, the program will be funded through 1977.

Technical assistance will be provided as outlined on pages 384-386.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	10,000	1,200	11,200	90/10

EVALUATION:

a) No sources of evaluation data were consulted in development of this program.

b) There has been no evaluation data available to influence the development of this program.

c) It is expected an internal assessment will be sufficient for measuring program results;therefore, a SPA staff evaluation is not a priority. Agencies requesting funds under this program are required to perform an internal assessment of their project. Guides for preparing a subgrant application narrative capable of internal assessment are outlined on page four of the MBCC Instruction Grant Application booklet.

TITLE: Equipment (D-1)

PROBLEM: Montana is basically a rural state and has many relatively small law enforcement agencies. Many of these small departments do not have adequate basic or specialized equipment to perform a multitude of varied law enforcement functions. Officers patrol large jurisdictions.

State and local criminal justice agencies require assistance to acquire the basic and specialized equipment necessary to routine operations when such is not available within their budgets.

OBJECTIVES: To assist state and local criminal justice agencies in the acquisition of the equipment necessary to perform their criminal justice functions; to increase the efficiency of the delivery of services.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for standards and goals progress.

IMPLEMENTATION: Equipment purchase policies are being revised based on listing the pieces of operational equipment the Montana Board of Crime Control will consider funding, according to board priority, justification of need, and project relation.

All other equipment requests must not be "stand alone" pieces of hardware, but must be an integral part of a larger program which demonstrates the potential to have an impact on crime reduction or increase the efficiency of the delivery of services. A definite need should be established and program objectives stated.

Technical assistance will be provided as outlined on pages 384-386.

SUBGRANT DATA: The State of Montana is divided into 5 planning regions. Each of the Region Advisory Councils will be budgeted $20,000 and state criminal justice agencies budgeted $20,000 as the maximum allowable to be spent on equipment funding in that particular region.

Requests from police, court, and correctional agencies at the state and local level are anticipated. As a broad range of equipment is necessary, no limit to the amount or number of grants can be made.

Funding is not available for installation costs on any type of mobile (vehicle) equipment.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	70,000	24,000	94,000	75/25

EVALUATION:

a) No sources of evaluation data were consulted in development of this program.

b) There has been no evaluation data available to influence the development of this program.

c) The equipment category alone will not be evaluated by SPA staff evaluators because the majority of future equipment needs are gradually becoming incorporated in project proposals and used in conjunction with overall program results. It is a category where funding is being reduced and absorbed by other programs. It is expected some equipment purchases will be evaluated as part of some project areas. Agencies requesting equipment funds are required to evaluate their equipment by providing an internal assessment of results or impact the equipment had on their department.

TITLE: Crime Lab Equipment (D-3)

PROBLEM: The Montana Criminal Investigators Laboratory's existing equipment and manpower is generally inadequate to keep up with the volume of samples local law enforcement agencies submit for analysis. This burden increases as more and more court appearances are required.

OBJECTIVES: To maintain existing service levels. To provide additional new services at the crime lab. To maintain or increase the quality of criminal investigation.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for Standards and Goals progress.

IMPLEMENTATION: This program is intended to continue and expand the high quality and amount of services provided by the Montana Criminal Investigation Laboratory based on criminal justice agency needs and new law enforcement techniques. Technical assistance is available as outlined on pages 384-386.

SUBGRANT DATA: One or two subgrants are anticipated to be made to the Montana Criminal Investigation Laboratory for the acquisition of additional forensic crime lab equipment.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	500	60	560	90/10

EVALUATION:

a) No sources of evaluation data were consulted in development of this program.

b) There has been no evaluation data available to influence the development of this program.

c) This category is a one-time equipment expenditure and will not be evaluated by SPA staff evaluators. The agency requesting this equipment is expected to provide an internal assessment of this equipment in terms of the impact or results this equipment had in its department.

TITLE: Court Facilities Improvement (E-3)

PROBLEM: Some courtrooms and their satellite areas, especially those areas provided for the comfort and convenience of jurors and witnesses, may require improvement of facilities.

The fundamental need is for a statewide inventory of facilities and equipment available to trial court and lower court operations. Until such an inventory is made, there may be court-related request for facilities improvement on an ad hoc basis.

OBJECTIVE: The objective of this program is the physical improvement of trial court facilities. Particular emphasis will be given to facilities for the use of witnesses, victims, and juries.

RELATIONSHIP OF STANDARDS AND GOALS: See pages 191-201 for a statement on standards and goals.

IMPLEMENTATION: Funding may be requested for renovation or improvement of any of the facilities used in District Court trials. Projects to provide or improve the facilities needed for the protection and segregation of witnesses, victims, and juries will be emphasized.

Technical assistance will be available as outlined on pages 384-386.

SUBGRANT DATA: One to 3 subgrants will be made available to district courts in a total amount not to exceed $20,000.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	20,000	20,000	40,000	50/50

EVALUATION:

a) No sources of evaluation data were consulted in development of this program.

b) There has been no evaluation data available to influence the development of this program.

c) It has been determined that this program area is not a priority category requiring an evaluation component. It is expected an internal assessment will be sufficient for measuring program results. Agencies requesting funds under this program are required to perform an internal assessment of their project. Guides for preparing a subgrant application narrative capable of internal assessment are outlined on page four of the MBCC Instruction, Grant Application booklet.

TITLE: Juvenile Receiving Center (E-4)

PROBLEM: Twenty-six percent of the youth referred to Montana's juvenile courts are detained. There are only two nonsecure facilities in the state equipped to handle court-referred youth. County jails handle all the rest. Few of these jails are adequately equipped to serve juveniles.

Over 50% of these youth (90% of female detainees) have committed no criminal offense.

There is a need for a comprehensive program to establish facilities for those youth not requiring secure custody. These facilities should also lend themselves to conducting diagnostic services needed to make adequate dispositions.

OBJECTIVE: The objective of this program is to provide facilities for the temporary custody of juveniles awaiting disposition, foster home placement, or transfer.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for a statement on standards and goals.

IMPLEMENTATION: Funds may be requested for personnel, acquisition, and renovation of a facility, equipment and/or operating expenses for 3 short-term facilities. The model facility will be established under the supervision of a juvenile court and under no circumstances will it be included in a county or city jail. Funds will not be available for facility construction.

Juveniles will be referred to the shelter by service agencies or the juvenile court. A maximum holding period will be established to insure a speedy disposition of the juvenile's case. Ideally, the facility will be used as a center for evaluations and other pre-disposition activities involving juvenile offenders.

Following evaluation of the model program, and any necessary revisions, state financial support will be sought for expansion of the program. The amount of federal involvement necessary through the multi-year period has not yet been determined.

Agencies requesting funds in this program are encouraged to request SPA technical assistance in writing their subgrant narratives to include evaluation criteria. See pages 384-386 for guidelines.

SUBGRANT DATA: One or 2 subgrants, not to exceed $40,000, are anticipated under this program. Subgrants will be awarded to county governments and administered by Youth Court officials. Only those applicants meeting subgrant narrative requirements will be funded. It is estimated that $30,000 will be used for the program, with a match ratio of 90/10, and $10,000 for construction, with a match ratio of 50/50.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	40,000	23,000	63,000	90/10 50/50

EVALUATION:

a) One current and one expired project were reviewed by staff evaluators and used to provide information in continuing this program.

b) Twenty-three percent of the total allocated funds in the 1975 action grant year received evaluation input. The program will be continued based on much of the information obtained from evaluation efforts.

c) Based on planning desire for more evaluation input to determine whether the program should be continued, modified, or terminated relative to 1976 action grant year projects, this program is considered a high priority in the juvenile planning area. At least 1 project will receive a level 2 evaluation by SPA staff evaluators.

TITLE: Local Jail Improvement (E-5)

PROBLEM: According to a 1973-74 jail survey, most local Montana jails have been rated fair to poor by sanitation, safety, and security standards.

OBJECTIVE: To help alleviate sub-standard conditions in local jails.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for Standards and Goals progress.

IMPLEMENTATION: All local jail requests will be considered if the agency can show the improvement will aid in the humane detention of individuals in terms of safety, sanitation, and security. Funds will be allocated to those facilities which can document the need for such improvement. Technical assistance will be available as outlined on pages 384-386.

SUBGRANT DATA: The sum of $18,000 shall be made available to each region for local jail improvement. The number of subgrants from the region shall be at the discretion of each Region Advisory Council.

BUDGET:

	LEAA	State or Local	Total	Percentage
Part C	90,000	90,000	180,000	50/50

EVALUATION:

a) One project reviewed by staff evaluators provided some information used in developing the program and projects for this program category.

b) Three percent of expended funds in the 1975 action grant year received evaluation input. This evaluation input was used to determine continued funding of this program area.

c) Planning and evaluation staff decided a medium priority for evaluating projects in this program area. At least 1 project will receive a level 2 evaluation by SPA staff evaluators to assess program results. Agencies requesting funds under this program are encouraged to obtain SPA staff assistance in developing their subgrant narrative to evaluation criteria, or to assist them in developing a capability for internal assessment at the local level. See MBCC Instruction, Grant Application booklet, page four.

TITLE: Criminal Justice System Workload Analysis (F-3)

PROBLEM:

a) Police: Ineffective deployment of manpower to non-police duties reduces the capability of most agencies to handle criminal complaints and investigations.

b) Courts: Population redistribution and an immense amount of new constitutional and statutory law with exclusive jurisdiction reposing with the district courts has resulted in increased and disparate workloads.

Judges have insufficient time to do adequate legal research and must depend on attorneys' briefs for adequate discussion of the law involved.

Prosecution and defense are plagued with problems similar to those of the judges.

c) Corrections: Completion of the new prison facility will necessitate the need for technical assistance in manpower deployment and workloads.

OBJECTIVES: To increase the efficiency of manpower deployment and workload in criminal justice agencies.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for Standards and Goals progress.

IMPLEMENTATION: Funding may be requested for consultant's fees, operating expense, printing and distribution of the workload analysis.

The analysis of the workload should determine the nature and volume of demands for service and the time expended in these services by personnel.

The model system should be applicable statewide if there are similar criminal justice agencies.

Technical assistance will be available as outlined on pages 384-386.

Prior to making an application for funds under this program the applicant agency should contact the Montana Board of Crime Control. Resource deployment programs are available utilizing State Planning Agency and/or LEAA Regional Office Staff.

SUBGRANT DATA: This program is anticipated to fund one or 2 state or major county criminal justice agencies.

The criminal justice agency must meet the criteria to be set for the study base.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	5,000	600	5,600	90/10

EVALUATION:

a) No sources of evaluation data were consulted in development of this program.

b) There has been no evaluation data available to influence the development of this program.

c) This program area is not a priority category for SPA staff evaluation primarily since the minimal amount of funds does not appear to be large enough for an evaluation when an internal assessment will be sufficient. Agencies requesting funds under this program are required to perform an internal assessment of their project. Guides for preparing a subgrant application narrative capable of internal assessment are outlined on page four of the MBCC Instruction, Grant Application booklet.

TITLE: Consolidation and Special Cooperative Crime Impact Projects (G-1)

PROBLEM: While construction of modern law enforcement facilities is too costly for most individual communities, such facilities are essential to improved law enforcement.

Services, support systems and facilities are duplicated by police and sheriff agencies while available skilled, sworn manpower is inadequate to meet the demands for service within the community.

More than half of Montana's 56 counties do not receive 24-hour law enforcement service.

OBJECTIVES: To encourage the consolidation, partial or total, of local law enforcement facilities, services, and operations by providing funding incentives.

The long range objective is to provide a more efficient police service to Montana citizens at a reasonable cost to local governments.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for Standards and Goals progress.

IMPLEMENTATION: Local governments may request funds for surveys, planning, design, construction, and remodeling of facilities to execute total consolidation or cooperative service consolidation of detention, records, communication, investigation, and joint facilities.

Funds are being made available to local governments interested in exploring the alternatives of consolidation and implementing such plans.

Technical assistance to local governments studying consolidation alternatives is being provided by the Technical Assistance Division of L.E.A.A. in cooperation with the planning staff of the Board of Crime Control.

Over the remaining multi-year period, funds will be allocated according to the interest generated in this program by the prior year activities.

SUBGRANT DATA: No funding will be available unless a sub-grantee has a documented commitment from local government and other agencies involved and submits a preliminary plan to the Montana Board of Crime Control.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	277,600	111,000	388,600	90/10 50/50 Construction

EVALUATION:

a) Seven current or expired projects reviewed by staff evaluators provided information used in developing the program and projects for this program category.

b) Fifteen percent of the total funds allocated in the 1975 action grant year received evaluation input. This evaluation input was used to determine progress and problems provided to management for the decision-making process for continuation of this program. Based on marked improvement in local projects, the program will continue.

c) Increased funding is provided in this program area and project replication is expected. Evaluation is a priority in the law enforcement area as determined by the evaluators and planners in order to further gather sufficient data to assess projects and determine funding of future projects. At least three projects (one each in the low, medium and high population areas) will be evaluated at a level of 2 or 3 by SPA staff evaluators. Agencies requesting funds under this program area are required to obtain SPA staff assistance in completing their subgrant narrative to include evaluation criteria.

TITLE: Target-Crime Areas (G-2)

PROBLEM: The major problems in the target crime areas are similar to problems throughout the state and are included within the general problem statements of this plan for the entire criminal justice system.

This program addresses problems that are both crime reduction oriented and systems capabilities oriented. No adequate funds have been budgeted for this program.

OBJECTIVE: To provide development and implementation funds to areas of high crime incidence selected by the Board of Crime Control.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for Standards and Goals progress.

IMPLEMENTATION: The Board of Crime Control has selected burglary as the target-crime, based upon current crime data analysis.

The areas selected for the development of specific crime impact projects are Billings (Yellowstone County), Missoula (Missoula County), and Great Falls (Cascade County).

Continuation funds will be provided for the crime impact strategy in 2 of the target-crime areas. Development funds will be made available to the third target-crime area (Cascade County). All elements of the local criminal justice system will participate in the development and implementation of the strategy.

The initial steps in the Cascade County project will be concerned with establishing a project coordinator and providing the requisite training in the theory and design of a crime impact strategy.

Training will include basic management by objectives (MBO) theory and practice and will be provided for all participants in the development of the local strategy to reduce burglary.

Technical assistance will be available as outlined on pages 384-386.

SUBGRANT DATA: Two subgrants in the amount of $150,000 will be made available for the continuation and implementation of the Missoula and Billings Target Crime areas. One subgrant of $70,000 will be made available to Cascade County (Great Falls) to design a crime impact strategy.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	370,000	42,000	412,000	90/10

Joint Part "C" and Part "E" funding is not anticipated for this program.

EVALUATION:

a) Two projects reviewed by staff evaluators provided information used in developing the program and projects for this program category.

b) All of the expended funds in the 1975 action grant year received evaluation input. This evaluation input was used to determine progress and problems provided to management for the decision making process for continuation of this program. Based on local projects, the program will continue.

c) This program is high priority for results/impact measurement for evaluation in the 1976 grant action year. It is expected that evaluations will be contracted for 2 projects; therefore, these 2 projects will receive a level 1 evaluation by SPA staff evaluators. Also 1 project in the planning phase will receive a level 2 evaluation by SPA staff evaluators. Agencies requesting funds in this program are strongly recommended to request SPA technical assistance in writing their subgrant narrative to include evaluation criteria. Applicants should meet subgrant narrative requirements listed on MBCC Instruction Grant Application booklet, page four.

TITLE: Supreme Court Study of the Rules of Evidence (G-3)

PROBLEM: Montana rules of evidence have grown by accretion over the last century and are widely scattered among statutes and case law. For 3 years, a commission named by the supreme court has been at work collating rules of evidence and drafting a new statutory code for legislative consideration.

Financial support is needed by the evidence commission to complete and publish a draft of proposed rules of evidence.

The Supreme Court Study group on the Rules of Evidence require an additional $10,000 because initial start-up time on the project was not met as originally submitted due to the mechanical processes of appointment of Council members, hiring of staff, etc. The study group hopes to present a package of the new rules to the Montana Supreme Court by September, 1976. The deadline will also enable the study group to present the proposed rules to the Supreme Court and also allow ample lead time for review by attorneys within the state following adoptions by the Supreme Court. It is hoped that this package will be be adopted by the Supreme Court as the new rules which will then be reviewed and/or modified by the Montana State Legislature which will convene in January, 1977. The additional $10,000 will enable the study group to hire sufficient research and support staff to finalize the package of new rules by September, 1976, for presentation to the Supreme Court.

OBJECTIVE: To allow completion of a draft code of rules of evidence and ensure its preparation in a form suitable for consideration by the bench, bar, and legislature.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for statement on Standards and Goals.

IMPLEMENTATION: The program includes travel and per diem for one or more final meetings of the Commission and funding for publication of their final report and their proposals for modification and codification of the rules of evidence.

Technical assistance will be available as outlined on pages 384-386.

SUBGRANT DATA: One subgrant not to exceed $10,000 will be made to the Montana Supreme Court for the use of the Commission.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	10,000	1,200	11,200	90/10

EVALUATION:

a) No sources of evaluation data were consulted in development of this program.

b) There has been no evaluation data available to influence the development of this program.

c) It has been determined that this program area is not a priority category requiring an evaluation component. It is expected an internal assessment will be sufficient for measuring program results. The agency requesting funds under this program is required to perform an internal assessment of its project. Guides for preparing a subgrant application narrative capable of internal assessment are outlined on page four of the MBCC Instruction Grant Application booklet.

TITLE: Victimization and Offender Restitution Study (G-5)

PROBLEM: Millons are expended annually to maintain order in Montana and each year hundreds of innocent victims of violence are maimed, permanently disabled, or worse. While society in general may commiserate with the victims on their cruel misfortunes, sympathy will not mend broken bodies and compassion will not relieve the terrible suffering and mental anquish of these victims and their loved ones. Many of these people are forced to endure months and even years of lost time from their jobs and substantial medical expenses.

In most cases the innocent victim of crime has no civil remedy for reparations, either because the offender is not apprehended or because he is "judgment proof."

There is an increasing number of criminal acts being perpetrated upon the public and the normal insurance coverage a citizen may have is inadequate in most cases.

Regrettably,in Montana and most states, the entire financial burden is placed upon the victim.

OBJECTIVES: This program is designed to:

1. Explore the concept of restitution by the offender.

2. Study all available resources and develop plan of action for the state of Montana by compiling data and statistics of crime in the major population centers of the state and also rural Montana - where information is available.

3. Develop a means to establish the level of offender restitution that should be granted to the victim; whether such should be paid before or after all other forms of insurance have been calculated; show a need where necessary for emergency needs of the victim; establish the minimum and maximum that shall be compensated by the offender.

4. Decide a schedule of losses to be covered, such as expenses actually and reasonably incurred as a result of the personal injury or death of the victim, loss of earning power as a result of total incapacity of such victim, pecuniary loss to the dependent of the deceased victim.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for a statement on Standards and Goals.

IMPLEMENTATION: Funding will be made available to the Montana Catholic Conference to conduct the study of victims of crime and offender restitution. The study will be prepared with the idea of presentation to the State Legislature.

Technical assistance will be available as outlined on pages 384-386.

SUBGRANT DATA: One subgrant not to exceed $20,000 will be made available to the Montana Catholic Conference to implement this program.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	20,000	2,300	22,300	90/10

Joint Part "C" and Part "E" funding is not anticipated.

EVALUATION:

a) No sources of evaluation data were consulted in development of this program.

b) There has been no evaluation data available to influence the development of this program.

c) Because of the cost and nature of this project, this program area is given priority for evaluation in order to gather sufficient data to assess the results and benefits/problems of a study of this nature. The project funded under this program will be evaluated at a level 2 by an SPA staff evaluator. The agency requesting funds under this program area is required to obtain SPA staff assistance in completing its subgrant narrative to include evaluation criteria.

TITLE: Community Awareness, Criminal Justice Agencies (H-1)

PROBLEM: Many criminal justice agencies are misunderstood by the media and the public. Criminal justice without citizen cooperation often operates in a vacuum of apathy.

Law enforcement agencies often cannot identify problem crimes and high crime areas and, consequently, cannot effectively combat crime or deploy patrol personnel.

The lack of public information programs is acute. Such programs are needed to encourage crime prevention and reduction, and active citizen participation in criminal justice service and responsibility.

OBJECTIVES: To assist criminal justice agencies in developing the capability to maintain public information programs.

To encourage projects oriented toward crime prevention, citizen cooperation, promotion of public trust or understanding, discouragement of delinquency, or any other purpose for which a need for improved interaction between the criminal justice system can be demonstrated and an improvement of communication anticipated.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for Standards and Goals progress.

IMPLEMENTATION: Funding may be requested for personnel, transportation, per diem, equipment, operating expenses, and hand-outs and/or display materials to encourage citizen understanding and involvement in criminal justice activities. Criminal justice agencies which determine a problem area or a specific need for public cooperation may apply for funding.

The state planning agency staff will assist the agency in developing effective methods of communication and will coordinate local programs to avoid duplication of efforts.

Technical assistance will be available as outlined on pages 384-386.

SUBGRANT DATA: A number of subgrants ranging from $500 to $10,000 are anticipated. Criminal justice agencies identifying a specific need and/or a specific plan for improved communication are eligible for funding under this program.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	20,000	2,300	22,300	90/10

EVALUATION:

a) No sources of evaluation data were consulted in development of this program.

b) There has been no evaluation data available to influence the development of this program.

c) This program category will be considered for evaluation in order to obtain sufficient data to assess results, problems or benefits in community awareness programs. One project will be evaluated at a level 2 by an SPA evaluator. Agencies requesting funds under this program are required to obtain SPA staff assistance in completing their subgrant narratives to include evaluation criteria.

TITLE: Intensive Counseling Services (H-2)

PROBLEM: Personnel working with youth in Montana's juvenile justice system often become locked in to the procedures of processing youth. Failures with new techniques, and budgetary restraints often prevent the staff from trying new programs or ideas. The day-to-day procedures become a rut, and it becomes increasingly difficult to remain open minded, and explore new ideas.

There is a need to support and encourage the development of new techniques in this field. This support is often not available from state and local government, and should be provided initially from federal sources.

OBJECTIVE: The objective of this program is to reduce the incidence of juvenile recidivism by providing intensive counseling to seriously disturbed youth. Funding will be provided for 3 juvenile courts to supervise counseling programs which are far more intense than typical probation.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for standards and goals progress.

IMPLEMENTATION: Funds may be requested for personnel, consultant fees, transportation, per diem, and operating expenses.

Several approaches to altering the behavior patterns of youth will be used to implement this project. All of the youth participating in the project will be hard-to-reach youth who have not benefited from traditional probation. Strict records will be kept on the participating youth to determine the effectiveness of the program. The program approaches will consist of group counseling, outwardbound type experiences, family counseling, and intensive supervision. Technical assistance will be available as outlined on pages 384-386.

SUBGRANT DATA: Three subgrants ranging from $2,000 to $4,000 are anticipated under this program. The funds will be granted to units of state or local government.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	10,000	1,200	11,200	90/10

EVALUATION:

a) Two projects reviewed by staff evaluators in the 1975 grant action year provided information to determine continued funding of this program.

b) Increased funding is provided in this area, partially due to evaluation data indicating success and providing data bases for future planning in the projects currently underway. Planning and evaluation staff decided a minimal need for continued evaluation of this program area. The project now in progress will provide sufficient information for evaluation.

c) Agencies requesting funds under this program are required to perform internal assessment of their project. Guides for preparing a subgrant application narrative capable of internal assessment are outlined on page four of the MBCC Instructions Grant Application booklet.

TITLE: Court Pre-Sentence Screening and Community-Based Treatment (H-4)

PROBLEM: Pre-sentence screening and evaluation is frequently inadequate for sentencing purposes, as are community facilities that would increase sentencing options.

Sentencing and commitment alternatives have recently been expanded in one of Montana's three major urban areas by the community addition of a mental health center, but the judicial district has insufficient financial resources to make use of the facility for pre-sentence evaluation or for the prescription of community-based treatment for certain criminal defendants as an alternative to commitment to the state mental hospital.

Improvement of pre-sentence evalvation and screening is needed, together with a viable option of community-based treatment for some criminal defendants as a condition of deferred imposition of sentence or suspension of sentence.

OBJECTIVE: Approximately 130 criminal defendants will be evaluated before sentencing and/or treated by the mental health center in the Eighth Judicial District.

RELATIONSHIPS TO STANDARDS AND GOALS: See pages 191-201 for standards and goals progress.

IMPLEMENTATION: The principal requirement will be funding to meet the costs and charges of the mental health center for making evaluations and conducting any course of treatment. There may be some local planning and clerical costs involved. It is anticipated that the county budget will be framed to assure continuation of funding.

Technical assistance will be available as outlined on pages 384-386.

SUBGRANT DATA: One subgrant to the Eighth Judicial District not to exceed $10,000 is involved.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	10,000	1,200	11,200	90/10

EVALUATION:

a) No sources of evaluation data were consulted in development of this program.

b) There has been no evaluation data available to influence the development of this program.

c) The SPA planner assigns this program highest priority in the courts area for evaluation in order to gather sufficient data to assess results, problems or other benefits particular to a project of this nature. The SPA evaluation staff will evaluate this project at a level 2. Agencies requesting funds in this program are encouraged to request SPA technical assistance in writing their subgrant narrative to include evaluation criteria. Only those applicants meeting subgrant narrative requirements listed on MBCC Instruction, Grant Application booklet page four.

TITLE: Criminal Justice Information System (I-1)

PROBLEM: All criminal justice agencies will require substantially more information in the next ten years. This information must be timely and in proper format to aid in decision making. It will be required for both operational and management purposes.

OBJECTIVES: To expand the capability of the state planning agency to gather and analyze information concerning criminal activity in Montana and the functioning of all parts of the criminal justice system.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for standards and goals progress.

IMPLEMENTATION: Funding will be requested to support ongoing computer applications, expenses incurred in the design and development of new systems or applications, and providing personnel support for new applications.

The Board of Crime Control is moving away from system improvements and more toward crime specific planning. In order for this to be successful the criminal justice data center will need to look at target crimes in more detail than has been the case to date. In addition new information bases must be programmed for rapid retrieval and flexible analysis of accumulated data. Technical assistance will be available as outlined on pages 384-386.

SUBGRANT DATA: One grant to the SPA in the amount of $40,000 is anticipated.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	40,000	4,500	44,500	90/10

EVALUATION:

a) No sources of evaluation data were consulted in development of this program.

b) There has been no evaluation data available to influence the development of this program.

c) This program area is not a priority category requiring SPA staff evaluation component. It is expected an internal assessment will be sufficient for measuring program results. The agency requesting funds under this program is required to perform an internal assessment of its project. Guides for preparing a subgrant application narrative capable of internal assessment are outlined on page four of the MBCC Instruction, Grant Application booklet.

TITLE: Communications (I-2)

PROBLEM: Many law enforcement agencies do not have continual contact with their sworn officers during the officers' tours of duty.

Some law enforcement agencies do not have adequate station to station communications equipment.

Some criminal justice agencies that require communication capabilities with their personnel do not have the necessary equipment.

OBJECTIVES: To have immediate communications capabilities with each sworn officer while he or she is on duty.

To continue the implementation of a statewide law enforcement communication system to the level previously established in the overall communication plan.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for standards and goals progress.

IMPLEMENTATION: Funding may be requested for radios and auxiliary equipment such as repeater hardware and computer relays installation, and technical assistance.

The Board of Crime Control is funding the State Communications Division to provide user assistance in licensing, frequency coordination, engineering trouble shooting, and preparing specifications for bidding. The Communications Division provides direction and technical assistance in all areas of communications improvement.

Technical assistance will be available as outlined on pages 384-386.

SUBGRANT DATA: Any communications equipment purchased must meet the standards and prices as set by the state purchasing agency. The State Communications Division reviews each subgrant application to determine that the requested equipment meets the specifications established in the state communication plan.

One or 2 subgrants will be made to the Department of Administration for technical assistance. Additional subgrants will be made to state and local government units for equipment and services within the state communications plan.

Funding will not cover the installation costs of mobile (vehicle communications equipment).

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	88,500	29,500	118,000	75/25 90/10 on repeaters

EVALUATION:

a) One project reviewed by staff evaluators provided information used in developing the program and projects for this program category.

b) Eighteen percent of the total funds allocated in the 1975 action grant year received evaluation input. This evaluation input was used to determine progress and problems provided to management for the decision making process for continuation of this program. Based on marked improvement in local projects, the program will continue.

c) This program category is in the process of gearing down; therefore, future evaluation need for decision making will decrease. No SPA staff evaluations will be done. It is expected an internal assessment will be sufficient for measuring program results. Agencies requesting funds under this program are required to perform internal assessment of their project. Guides for preparing a subgrant application narrative capable of internal assessment are outlined on page four, of the MBCC Instruction Grant Application booklet.

TITLE: Law Enforcement Teletype System (I-3)

PROBLEM: There is a need for communications capabilities between all law enforcement agencies within the state and the nation for the exchange of criminal justice information. Criminal justice agencies are restricted to jurisdictional boundaries while criminal activity knows no bounds.

OBJECTIVE: To maintain, upgrade, and expand the use of the Montana Law Enforcement Teletype System.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for standards and goals progress.

IMPLEMENTATION: Funding will be requested for personnel, transportation, per diem, equipment, and operating expenses associated with the teletype system.

In 1976 LETS will continue its attempt to bring on-line each law enforcement agency in the state which has a 24-hour operation. The staff will encourage rural departments to install compatible terminals to interface with the nearest large department on-line.

It is anticipated that the 1976 action year will be the final year for the necessity of federal support for the Law Enforcement Teletype System.

Technical assistance will be available as outlined on pages 384-386.

SUBGRANT DATA: One subgrant not to exceed $50,000 will be made to the Department of Justice, of which the teletype system is a bureau.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	50,000	5,600	55,600	90/10

EVALUATION:

a) No sources of evaluation data were consulted in development of this program.

b) There has been no evaluation data available to influence the development of this program.

c) The project in this program has no SPA staff evaluation priority. It will be in the last year of federal support and is not anticipated that funding will be continued after the 1976 action grant year. The agency requesting funds under this program is required to perform internal assessment of its project. Guides for preparing a subgrant application narrative capable of internal assessment are outlined on page four of the MBCC Instruction, Grant Application booklet.

TITLE: Criminal Justice Information System Services (I-4)

PROBLEM: An integrated network of criminal justice information systems must be implemented for collecting, processing and disseminating data. Considerable use of the latest information system technology involving computers, telecommunications and terminals will be required to operate a single, complete information network linking all criminal justice agencies. The network must be operational on a 24-hour, seven-day-a-week basis.

The criminal justice system network must correspond to four levels of governmental jurisdiction: the federal government, the state, local jurisdictions, and the information needs of individual criminal justice components: police, courts, and corrections.

OBJECTIVE: To develop and implement information or operational systems to enhance the capabilities of agencies in the criminal justice system.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for standards and goals progress.

IMPLEMENTATION: The MontanaSPA has assumed the leadership for the development of a statewide information systems plan. Until such time as the plan is completed there will be a moratorium on the purchase of computer hardware and software with LEAA funds.

Technical assistance will be available as outlined on pages 384-386.

SUBGRANT DATA: One or 2 subgrants are anticipated upon completion of the statewide system plan to start the implementation.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	150,000	17,000	167,000	90/10

EVALUATION:

a) No sources of evaluation data were consulted in development of this program.

b) There has been no evaluation data available to influence the development of this program.

c) The planners desire more evaluation input to determine whether the program should be continued, modified, or terminated. It is expected there will be a high demand for funds from this program category and the chance of replication is expected; therefore, this program is considered a high priority in the systems services for evaluation. Approximately two grants will be evaluated, one at a level 2 and one at a level 3, by SPA staff evaluators. Agencies requesting funds in this program are strongly recommended to request SPA technical assistance in writing their subgrant narratives to include evaluation criteria. Only those applicants meeting subgrant narrative requirements listed on page four of the MBCC Instruction, Grant Application booklet, will be funded.

TITLE: Juvenile Probation Information System (I-5)

PROBLEM: Montana's juvenile court system is composed of 18 separate judicial districts, each of which has its own juvenile probation department. Records and information about the activities of these departments are virtually nonexistent. Each department has some type of recordkeeping system but these vary tremendously in levels of sophistication. The Board of Crime Control has maintained a central recordkeeping system for several years, but information is based on referrals rather than actual youth served.

There is a tremendous need for an information system that will provide management information to the courts that is timely and meaningful. This information should also have the potential of being aggregated at the state level for purposes of statewide planning.

OBJECTIVE: The objective of this program is to provide juvenile probation officers throughout the state with a new computerized information system geared especially to their needs. The system will be designed to provide each probation officer specific summary reports that will enhance his ability to manage his day to day activities. In addition the system will supply the SPA with a wealth of new information relating to juvenile activity in the criminal justice system.

Juvenile probation officers will be heavily involved in the design of this program.

RELATIONSHIP TO STANDARDS AND GOALS: See pages 191-201 for standards and goals progress.

IMPLEMENTATION: Funding will be requested to support design and development activities, computer support, printing of input forms, and travel and per diem.

Technical assistance will be available as outlined on pages 384-386.

SUBGRANT DATA: One subgrant to the SPA in the amount of $20,000 is anticipated.

BUDGET:

	L.E.A.A.	State or Local	Total	Percentage
Part C	20,000	2,300	22,300	90/10

EVALUATION:

a) No sources of evaluation data were consulted in developing this program.

b) There has been no evaluation data to influence the development of this program.

c) In order to gather sufficient data for funding determination for continuing projects in this area in the future, this program area has been designated a high priority for evaluation. The project funded will be evaluated at a level two, and the agency requesting funds under this program is requested to obtain SPA staff assistance in completing its subgrant narrative to include evaluation criteria.

SUPPLEMENT

1976

Montana Plan for Criminal Justice Improvement

PART "E"

CORRECTIONS

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LAW ENFORCEMENT ASSISTANCE ADMINISTRATION
U.S. DEPARTMENT OF JUSTICE
WASHINGTON, D.C. 20530

APPLICATION FOR ACTION GRANT

Application Is Hereby Made For A Grant In The Amount Of $200,000 Under Title I, Part E of the Omnibus Crime Control and Safe Steets Act of 1968 (Public Law 90-351, 82 Stat. 197), As Amended by P.L. 91-644, 84 Stat. 1880).

BY

MONTANA

Planning Agency Administrator (Name, title, address, and telephone number)	Financial Officer: (Name title, address and telephone number)
Michael A. Lavin Administrator 1336 Helena Avenue Helena, Montana 59601 Phone: (402) 449-3604	Mrs. Margaret Crutcher Finance Officer 1336 Helena Avenue Helena, Montana 59601 Phone: (406) 449-3604

1. This application is supported by:

   The attached supplement to Comprehensive Plan dated October, 1975.

2. The undersigned represents, on behalf of the applicant agency that:

   a. Any grant awarded pursuant to this application shall be subject to and will be administered in conformity with the General Conditions Applicable to Administration of Grants under Part C and Part E, Title I of P.L. 90-351, as amended, as set forth in Appendix 4-3.

b. Funds awarded will be used only for the programs described in the Section entitled "Annual Action Plan" as set forth in the approved Comprehensive Law Enforcement Plan or in any amendment thereto duly filed with and approved by the Law Enforcement Assistance Administration.

c. Not more than one-third of the gross amount of this grant will be expended for compensation of police and other regular law enforcement personnel, exclusive of compensation for time engaged in conducting or going training programs, or compensation for personnel engaged in research, development, demonstration of other short-term programs.

d. Any grant funds so expended for compensation of personnel subject to the one-third limitation will be matched by State or local expenditures for increased personnel compensation of equal amount.

3. The State Planning Agency hereby assures that it will comply with and will insure compliance by its subgrantees and contractors with Title VI of the Civil Rights Act of 1964 and all requirements imposed by or pursuant to regulations of the Department of Justice (28 C.F.R. Part 42) issued pursuant to that title, to the end that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance from the Department of Justice. The State Planning Agency further will comply with and insure compliance by its subgrantees and contractors with Justice Department equal employment regulations in federally assisted programs (28 C.F.R. Part 42, Sub-part D) to the end that employment discrimination in such programs on the grounds of race, color, creed, sex, or national origin, shall be eliminated. The State Planning Agency recognizes the right of the United States to seek judicial enforcement of the foregoing convenants against discrimination, and will include a similar covenant assuring the right of the United States to seek judicial enforcement in its subgrants or contracts.

4. This application (submitted in 12 copies) consists of the following in addition to this form:

1. Attachment A - List of Action Programs for which Grant Support is Requested

2. General Conditions - Contained in Part C Plan

3. Program Component - Part E

4. Part E - Special Requirements

Signature:_____

Date:_____

GOALS: To establish community facilities for the temporary care of youth awaiting court disposition or placement.

These facilities will reduce the youth jail population and will give the court additional time to make a decision on youth placement.

The facilities will be short-term and will provide an opportunity for the court to gather diagnostic and sociological information needed to place the youth.

The project will also evaluate the effects of short-term nonsecure detention on dispositions, self-concepts, and recidivism as opposed to jail.

OBJECTIVES: To establish 4 facilities in the State of Montana that will provide predispositional care for 8-10 youths at any given time.

To reduce the juvenile jail population in Montana by 25%.

To staff 2 of these facilities with clinical personnel that are capable of performing diagnostic services.

To evaluate the premise that dispositions made on youth in shelter care facilities are of higher quality than youth in jail.

PART E - Multi-Year Program Descriptions and Projections

General Statement & Forecast: The adult correctional system in Montana is made up primarily of the state prison at Deer Lodge, the Board of Pardons with field service capability, the local jails, and community-based programs.

All these areas, in one way or another, are involved in community corrections at some point in their correctional programming.

Each major component in the correctional system is becoming more related to and dependent upon the other components as Montana strives for a more unified correctional system.

Plans are underway to more closely integrate the system by mutual planning efforts.

Reform is taking place, but the process is slow and needed monies are in scarce supply.

Funds are needed in all four components in all nine planning categories. (Manpower, training, education, equipment, facilities, workloads, operating standards, services and information systems).

Since there are many areas of need and since Part E funds available to Montana are relatively small, it is felt that, to make greatest and best use of dollars allocated, each major component of Montana's Correctional System should receive the majority of Part E funds for one year.

The rationale is that if the funds allocated for one year are dispersed among three or more agencies, the likelihood is that several small programs will result and not have the significance of one larger program adequately financed.

With this rationale in mind, it was determined that the total available Part E funds for 1976 should be awarded to support the juvenile justice system efforts in developing detention and shelter care facilities that will alleviate the burden on local jails, and will assist the courts in obtaining diagnostic and other information needed to make a proper disposition.

In 1977, the majority of Part E funds will be utilized to support activities that will bring local jails and lock-ups up to the minimum standards of health and welfare. This may include continued support for programs funded under the 1976 plan that develop alternatives to jail for juveniles. A precise statement about the planned utilization of the funds will be available pending more definite information about funds available from the Juvenile Justice & Delinquency Prevention Act of 1974.

It is anticipated that Part E funds for 1978 will be distributed to the segments of the system mentioned above to more closely integrate and expand the various functions of the programs initiated as a result of the previous years funding.

PART E - Multi Year Budget & Financial Plan

Juvenile Detention & Shelter Care Facilities - 1976

Establishment of 2 detention facilities which will have the capability of performing adequate diagnostic services, and 2 shelter care facilities which will provide non-secure custody	$200,000

Local Jails & Detention Facilities 1977
(Juvenile & Adult)

Continued support of detention programs	50,000
E-7 Renovation of Health & Welfare	150,000
TOTAL	$200,000

Coordination & Increasing Effectiveness of Existing Correctionsl Programs - 1978

Division of Corrections	$135,000
Local Adult & Juvenile Detention	75,000
TOTAL	$210,000

PART E - 1976 Action Program

TITLE: Juvenile Detention & Diagnostic Services

PROBLEM: The state of Montana is at a crossroads in terms of detention and diagnostic services for youth. Three communities in the state have taken preliminary steps toward establishing detention centers for pre-dispositional care for youth. The Legislature has recognized the problem and passed a resolution mandating a statewide comprehensive plan for youth detention and shelter care services. The Department of Institutions has discussed the possibility of removing the diagnostic function from its juvenile institutions and contracting with local agencies for these services. These diagnostic services would be compatible with detention programs contemplated by communities.

OBJECTIVE: The objective of this program is to establish 2 facilities to provide detention services and diagnostic services for youth awaiting final disposition by the court.

RELATIONSHIP TO STANDARDS AND GOALS: See pages for a statement on Standards and Goals.

IMPLEMENTATION: Following completion of the comprehensive plan for detention and shelter care services, funds will be awarded to programs that will help implement the plan.

Funds may be requested for personnel, acquisition and renovation of a facility, equipment and operating expenses for 2 facilities. The facilities will be governed by recommendations of the detention plan and will probably include a combination of state, local, and private agencies. The agencies to be directly involved will include the juvenile court, Department of Institutions, and the local Mental Health Center.

SUBGRANT DATA: One or 2 subgrants, not to exceed $200,000, are anticipated under this program. Subgrants will be awarded to either state or local government depending on the recommendations of the comprehensive detention plan.

BUDGET:	LEAA	State/Local	Total	Percent
Part E	200,000	20,000	220,000	90/10

EVALUATION:

This program has high priority for evaluation in the 1976 grant action year. Project(s) funded under Part E should consider allocating at least 10% of their total budget to contract an evaluation of results/impact. If contracted, the project will receive a "level 1" evaluation by SPA staff evaluators. Agencies requesting funds from Part E are strongly recommended to request SPA technical assistance in writing their narratives to include evaluation criteria and oversee contract selections.

PART E SPECIAL REQUIREMENTS

1. SUMMARY PAGE REFERENCE: A PAGE REFERENCE TO THE LOCATION OF ALL TEXT AND DATA PERTINENT TO THE PART E COMPREHENSIVE STATEWIDE PROGRAM FOR THE CONSTRUCTION, ACQUISITION, OR RENOVATION OF CORRECTIONAL INSTITUTIONS AND FACILITIES AND THE IMPROVEMENT OF CORRECTIONAL PROGRAMS AND PRACTICES THROUGHOUT THE STATE.

Page references are to the 1976 Montana Plan for Criminal Justice Improvement.

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2. PROVIDE SATISFACTORY ASSURANCES THAT THE CONTROL OF THE FUNDS AND TITLE TO PROPERTY DERIVED THEREFROM SHALL BE IN A PUBLIC AGENCY FOR THE USES AND PURPOSES PROVIDED IN PART E AND THAT A PUBLIC AGENCY WILL ADMINISTER THOSE FUNDS AND THAT PROPERTY.

This assurance is incorporated in this grant application and automatically provided with SPA execution of this application.

3. PROVIDE SATISFACTORY ASSURANCES THAT THE AVAILABILITY OF FUNDS UNDER PART E SHALL NOT REDUCE THE AMOUNT OF FUNDS UNDER PART C WHICH A STATE WOULD, IN THE ABSENCE OF PART E, ALLOCATE FOR THE PURPOSES OF CORRECTION.

   a. The State has retained the aggregate Part C investment in correctional program patterns reflected in the multi-year projections of prior comprehensive plans; and

   b. The Part C commitment to corrections reflects at least a continuance of prior years planned and funded emphasis.

4. CERTIFY THAT PART E PROGRAMMING WILL UTILIZE ADVANCED TECHNIQUES IN THE DESIGN OF INSTITUTIONS AND FACILITIES.

   It is hereby certified that Montana will utilize advanced techniques in the design of institutions and facilities. Montana will probably not become involved in the following but if so, and if Part E funds are used, it will only be with LEAA approval:

   a. Construction of an adult facility having an operating capacity in the aggregate of more than 400 persons or a total site preparation, construction, and outfitting cost of more than $8 million.

   b. Construction of a juvenile facility having an operating capacity in the aggregate of more than 150 persons or a total site preparation, construction, and outfitting costs of more than $4 million.

5. CERTIFY THAT WHERE FEASIBLE AND DESIRABLE PROVISIONS WILL BE MADE FOR THE SHARING OF CORRECTIONAL INSTITUTIONS AND FACILITIES ON A REGIONAL BASIS.

a. It is hereby certified that where feasible and desirable, provisions will be made for the sharing of correctional institutions and facilities on a regional basis.

b. Wherever a correctional institution or facility is proposed for a single urban center and there are adjacent suburban areas with insufficient offenders to warrant a separate facility and for which there is no provision in this plan for access to comparable facilities, it shall be presumed that regional sharing is feasible and desirable.

c. It is recommended that any federal funds being used for upgrading detention facilities be given on a priority basis to those considering consolidation. See 1976 Consolidation Action Program, G1.

6. PROVIDE SATISFACTORY ASSURANCES THAT THE STATE IS ENGAGING IN PROJECTS AND PROGRAMS TO IMPROVE THE RECRUITING, ORGANIZATION, TRAINING, AND EDUCATION OF PERSONNEL EMPLOYED IN CORRECTIONAL ACTIVITIES, INCLUDING THOSE OF PROBATION, PAROLE AND REHABILITATION.

Please refer to specification No. 12 below. Hopefully, the programs initiated within Part C for training and manpower will insure at least 80 hours of recruit training and at least 20 hours of in-service training per year for all correctional personnel.

7. THE STATE PLAN MUST SPECIFY WITH RESPECT TO CONSTRUCTION OR RENOVATION OF CORRECTIONAL INSTITUTIONS OR FACILITIES, THAT IN THE PLANNING AND DEVELOPMENT OF ARCHITECTURAL DESIGN OR CONSTRUCTION DRAWINGS THE GRANTEE OR SUBGRANTEE WILL:

(1) CONSULT WITH AND PROVIDE RELEVANT DOCUMENTS TO THE NATIONAL CLEARINGHOUSE FOR CRIMINAL JUSTICE PLANNING AND ARCHITECTURE AT THE UNIVERSITY OF ILLINOIS.

(2) OBTAIN A CERTIFICATION OF COMPLIANCE WITH NATIONAL STANDARDS.

(3) VERIFY THAT NO FUNDS WILL BE EXPENDED UNTIL SUCH CERTIFICATION IS OBTAINED.

The Montana SPA shall continue to comply with the above conditions. The SPA shall coordinate the consultation with and providing of relevant documents to the National Clearinghouse for Criminal Justice Planning and Architecture, and fulfill other requirements as necessary.

8. THE STATE PLAN MUST REFLECT THAT WITH RESPECT TO CORRECTIONAL INSTITUTIONS OR FACILITIES, OR PORTIONS THEREOF, PART E GRANT FUNDS WILL NOT BE USED FOR ROUTINE REPAIR, MAINTENANCE, OR UPKEEP PURPOSES AND FURTHER, WITH RESPECT TO CONSTRUCTION, ACQUISITION AND RENOVATION, MAY BE USED ONLY FOR SUCH INSTITUTIONS AND FACILITIES OR PORTIONS THEREOF, WHICH SUBSTANTIALLY PROVIDE OR CONTRIBUTE TO PROVIDING CONFINEMENT OR REHABILITATION FOR THOSE CHARGED WITH OR CONVICTED OF VIOLATION OF THE LAW.

It is hereby certified that Part E grant funds will not be used for routine repair, maintenance or upkeep purposes. Funds for contruction, acquisition and renovation shall be used only for institutions and facilities which substantially provide or contribute to providing confinement or rehabilitation for those charged with or convicted of violation of the law.

9. CERTIFY AS A CONDITION FOR RECEIPT OF PART E FUNDS FOR THE PLANNING, CONSTRUCTION, ACQUISITION, OR RENOVATION OF ADULT OR JUVENILE CORRECTIONAL INSTITUTIONS OR FACILITIES, THAT THE SPA WILL REQUIRE THAT ALL APPLICANTS FOR SUCH FUNDS DEMONSTRATE ADHERENCE TO THE FOLLOWING PROGRAM ELEMENTS (TO THE EXTENT APPLICABLE TO THE PARTICULAR PROJECT PRESENTED AND AREA OR REGION TO BE SERVED BY THE PROPOSED FACILITY).

All applicants for Part E funds shall adhere to the following program elements (to the extent applicable to the particular project presented and area or region to be served by the proposed facility):

a. Responsible use of alternatives to incarceration, including but not limited to referral and bail practices, diversionary procedures, court sentencing practices, comprehensive probation resources, and the minimization of incarceration by State and local parole practices, workstudy release or other programs assuring timely release of prisoners under adequate supervision. (Applications should indicate the areas to be served, comparative rates of dispositions for fines, suspended sentences, probation, institutional sentences and other alternatives, and rates of parole.)

b. Special provision for the treatment, particularly in community-based programs, of alcohol and drug abusers.

c. Architectural provision for the complete separation of juvenile, adult female, and adult male offenders.

d. Specific study for the feasibility of sharing facilities on a regional (multi-State or multi-county or regional within States, as appropriate) basis.

e. Architectural design of new facilities providing for appropriate correctional treatment programs, particularly those involving other community resources and agencies.

f. Willingness to accept in the facilities persons charged with or convicted of offenses against the United States, subject to negotiated contract agreements with the Bureau of Prisons.

10. CERTIFY THAT SPECIAL ADMINISTRATIVE REQUIREMENTS DEALING WITH OBJECTIVES, ARCHITECTURAL AND COST DATA, CONTRACTUAL ARRANGEMENTS, ETC., WILL BE MADE APPLICABLE TO SUB-GRANTEES AND CONTRACTORS.

It is hereby certified that:

a. Applications for construction funds, in addition to meeting the requirements of paragraphs (a) through (f) above, shall be accompanied by a statement of objectives of the proposed facilities, architectural programs, schematics, outline specifications, and cost estimates.

b. Applications for construction funds shall include certification of the manner and means through which needed contractual services (site preparation, utility installation, building construction, purchases of equipment and fixtures, etc.) will be obtained in accordance with the applicable provisions of appropriate State and/or local law, rules or regulations. This must normally include some system of competitive bid solicitation. The use of separate contracts for construction and equipment is encouraged.

c. Grants or subgrants of Part E funds for facilities construction or renovation, regardless of size, shall require that architectural and other needed professional services shall be obtained upon the basis and consideration of professional competence to deliver the required services. Contractual fee obligations for such services shall be in accordance with the prevailing suggested fee schedules of recognized professional organizations, such as the American Institute of Architects.

d. The foregoing requirements shall be incorporated as part of the standard fiscal conditions for award of Part E grants, applicable to State Planning Agencies and their subgrantees and contractors.

11. PROVIDE A SHOWING OF HOW THE PART E PROGRAMMING PROVIDES SATISFACTORY EMPHASIS ON THE DEVELOPMENT AND OPERATION OF COMMUNITY-BASED CORRECTIONAL FACILITIES AND PROGRAMS, INCLUDING DIAGNOSTIC SERVICES, HALFWAY HOUSES, PROBATION, AND OTHER SUPERVISORY RELEASE PROGRAMS FOR PREADJUDICATION AND POST-ADJUDICATION REFERRAL OF DELINQUENTS, YOUTHFUL OFFENDERS, AND COMMUNITY-ORIENTED PROGRAMS FOR THE SUPERVISION OF PAROLEES.

First, Montana has provided assurance based on a presumption that the specification has been met based on the fact that 100 percent of the State's Part E allocation is to be invested in community based programs. Second, Montana has invested funding both in planning and action in community-based correctional facilities and programs, and will emphasize assistance to the more populous areas rated with a high crime index.

Compliance with this provision is found in Part C Programming.

12. PROVIDE THE STATE'S PERSONNEL STANDARDS AND PROGRAMS FOR CORRECTIONAL PERSONNEL WHICH REFLECT ADVANCED PRACTICES. IF THESE STANDARDS AND PROGRAMS REFLECTING ADVANCED PRACTICES DO NOT CURRENTLY EXIST, EXPLAIN WHAT STEPS THE STATE IS TAKING TO ESTABLISH ADVANCED PERSONNEL STANDARDS AND PROGRAMS. WHEN WILL THESE STANDARDS AND PROGRAMS BE COMPLETED?

Montana is maintaining in the aggregate both the Part C and Part E investment in advanced practices relating to personnel standards and programs reflected in the prior comprehensive plans. The SPA will condition subgrants in accordance with such standards and programs.

Refer to Part C Programs:

PROGRAM:	PAGE:
C.O.S.T.	316
Criminal Justice Workload Analysis	336
Probation & Parole Training	303,317
Corrections Administrator	308

13. SHOW HOW THE PART E PROGRAMMING PROVIDES SATISFACTORY EMPHASIS ON THE DEVELOPMENT AND OPERATION OF NARCOTIC AND ALCOHOLISM TREATMENT PROGRAMS IN CORRECTIONAL INSTITUTIONS AND FACILITIES AND IN CONNECTION WITH THE PROBATION OR OTHER SUPERVISORY RELEASE PROGRAMS FOR ALL PERSONS INCARCERATED OR ON PAROLE WHO ARE DRUG ADDICTS, DRUG ABUSERS, ALCOHOLICS, OR ALCOHOL ABUSERS.

For statement, see Part E Program Narrative for Target Group. Also, see Related Plans, Programs and Systems, Part II, nad Part C Clinical Services (A-5)

14. SHOW HOW THE STATE PLANS TO PROVIDE FOR ACCURATE AND COMPLETE MONITORING OF THE PROGRESS AND IMPROVEMENT OF THE CORRECTIONS SYSTEM. THE MONITORING MUST INCLUDE THE RATE OF PRISONER REHABILITATION AND RATES OF RECIDIVISM IN COMPARISON WITH PREVIOUS PERFORMANCE OF THE STATE OR LOCAL CORRECTIONAL SYSTEMS AND CURRENT PERFORMANCE OF OTHER STATE AND LOCAL PRISON SYSTEMS NOT INCLUDED IN THIS PROGRAM.

a. Refer to Part C Action Plan - Provision for Evaluation, pages

b. Part C Programs will also be directed to this effort:

PROGRAM:	PAGE:
Criminal Justice Workload Analysis (F-3)	336
CJS Information System (I-1)	349
Corrections Administrator (A-9)	308
Offender Based Statistical Information System (Discretionary Grant)	

COMPLIANCE WITH FUNDING LIMITATIONS

A. L.E.A.A./Census Bureau Data:

State Law Enforcement Fxpenditures - 44%
Local Law Enforcement Expenditures - 56%

B. SPA Allocation:

Part C Block	$1,419,000
State Availability	624,360
Local Availability	794,640
Other: Small State Supplement	167,000
Part E	194,000

C. Construction Costs:

Part C Total	70,000
Court Facility Improvement	20,000
Jail Improvement	40,000
Juvenile Receiving Center	10,000

D. Personnel Compensation

a. Estimated total personnel compensation in all Part C programs - $520,000

b. Estimated total personnel compensation in all Part C programs for police or other regular law enforcement personnel - $350,000

c. Estimated total increase in personnel of implementing agencies - 0

d. Estimated expenditures from federal share for the increased personnel compensation in (c) above - 0

LOCAL PARTICIPATION AND FUND BALANCE

Local initiative in the development of programs and projects for improvement of law enforcement is accomplished directly through the five Regional Advisory Councils by virtue of the representative composition of these councils. The advisory councils rely heavily upon the state planning agency staff advisors to aid them in their criminal justice planning efforts.

Local agencies applying for federal assistance for action projects are required to submit initial requests directly to the regional advisory council within that region. Thus, the council has the first opportunity to review and insure that applications are within the scope of the comprehensive state plan.

The advisory councils have established deadlines for requests by program category. The regional councils, sitting as a body, process these requests and establish priorities within their region. These regional priorities are transmitted to the State Commission for formulation of cumulative statewide priorities.

Program proposals, following review by the advisory councils, are transmitted to the state planning agency staff for review and evaluation. Consideration is given to substance and need. It is impossible to follow a set formula when allocating money to units of local government and, as stated in the guidelines, the requirement that an appropriate balance of fund distribution be achieved among local government units does not mean that every local unit must receive a grant from the state. Conversely, the state supervisory body is not likely to permit funds to be concentrated solely in a few locations.

Geographically, based on population, Montana has maintained a fairly equal distribution of action money among the five established regions, and the cities and counties within the regions. Every effort shall be made through multi-year planning to maintain this balance.

ALLOCATIONS TO SUBSTANTIVE AREAS OF LAW ENFORCEMENT

To be comprehensive in scope, state plans must be subject to continuing review, evaluation, and modification by the state planning agency. State plans must also be flexible to accommodate the vast differences in particular state law enforcement problems and resources. Time and available resources directly affect "comprehensiveness."

The state's planning staff takes into consideration every need within the criminal justice system that data and information reveal, or that is expressed by the system or segment thereof. All these needs are considered during the period of dollar allocation. However, based on the priorities established, action on some needs is delayed.

Allocation of funds for each major law enforcement area must be based upon need and achievable goals which are limited by a lack of available resources. Each segment of the criminal justice system is given every consideration.

The allocations shown below are indicative of the state's planning efforts.

	Police	Courts	Corrections
Manpower	89,000	32,000	102,000
Training	80,000	38,400	10,000
Education	45,000	15,000	25,000
Equipment	120,500	10,000	10,000
Facilities	0	20,000	90,000
Workloads	2,000	1,500	1,500
Operating Standards	277,600	10,000	0
Services	20,000	10,000	0
Information Systems	240,000	10,000	38,000
TOTALS	873,100	146,900	276,500

The following is a program by program review of state/local participation:

	Local	State	Total
Manpower	182,000	89,000	271,000
Training	103,400	106,000	209,400
Education	82,000	28,000	110,000
Equipment	100,000	40,500	140,500
Facilities	150,000	0	150,000
Workloads	5,000	0	5,000
Operating Standards	647,600	30,000	677,600
Services	35,000	5,000	40,000
Information Systems	228,500	120,000	348,500
TOTALS	1,533,500	418,500	1,952,000

JUVENILE JUSTICE PAGE REFERENCE

The following summation refers to the page locations of all text and data relevant to the juvenile justice system.

	Page
Existing Systems	
Juvenile Crime	11
Juvenile Justice (Courts)	105
Juvenile Corrections Institutions	144
A Potential Criminal Justice System for the 1980s	
Juvenile Justice	238
Multi-Year Plan	
Manpower	255
Training	262
Education	267
Equipment	272
Facilities	275
Operating Standards	285
Annual Action Programs	
Juvenile Probation (A-3)	303
Juvenile Probation In-Service (B-7)	317
Juvenile Receiving Center (E-4)	333
Juvenile Intensive Counseling (H-2)	346
Juvenile Information (I-5)	354
Related Programs	
Youth Development Bureau	388
Montana Mental Health Facilities	391
Institutional Mental Health Facilities	392
Montana Drug Abuse Prevention Plan	394
Montana State Plan for Alcohol Abuse	394
Department of Social and Rehabilitative Services	402
1975 Progress Report	
Clinical Services	407
Juvenile Probation Manpower	408,414,419
Juvenile Intensive Counseling	407,412
Juvenile Probation In-Service	408
Juvenile Information	413
Group Homes	410

PROVISION FOR EVALUATION

The Montana Board of Crime Control has planned for the need of evaluation by establishing an evaluation team within the agency. An evaluation strategy has been designed to encompass the process of determining the value or success in achieving the pre-determined objectives or accomplishments of programs and projects operating with LEAA funds.

Evaluation and Planning

Evaluation is basically an assessment of accountability and program activity that is essential to the decision-making process of the Montana Board of Crime Control. Evaluation is a continuing process which takes place before, during and after the implementation and completion of a project. One of the major goals of the Board of Crime Control is to incorporate evaluation as an integral part of the total planning methodology. Major steps toward this goal have been established and more steps toward integration will be accomplished during the coming year.

Staff members and the evaluation team have worked together to completely revise and simplify the subgrant application and the accompanying instruction booklets that are used by all subgrantees. Evaluation priorities and criteria have been established by planners and evaluators. A sound program rationale is required in the description of the project. Evaluation is no longer performed as an after thought, but is incorporated as the initial part of the subgrant development. The evaluators provide technical assistance to the subgrantee in writing the program narrative and developing quality objectives.

All subgrants pre-determined to meet evaluation criteria established by the SPA will be required to contain clear and quantifiable statements of their expected results and all major applications must be accompanied with pertinent support data. This will help applicants define more clearly what they want to accomplish and will assist in structuring projects. The SPA will encourage realistic planning in the design of subgrant applications and will assist with the evaluation plans to help generate quality subgrant applications.

A member of the evaluation team has met with each staff specialist to become familiar with the entire scope of his assigned program area. Each program area for 1976 was discussed in detail to determine priorities for evaluation. After all pertinent information was compiled, an evaluation strategy was developed, identifying priorities for evaluation for all major 1976 program areas. In the discussions, the projects were selected for evaluation according to the following considerations and planning needs:

1. chance of replication;
2. controversial nature of project;
3. political implications;
4. budget allocation;
5. planning priorities;
6. high and low crime areas;
7. geographic and demographic features;
8. continuation projects;
9. use of evaluation results by SPA and local agencies;
10. review of prior projects;
11. evaluation capability and time; and,
12. planner expectations.

Evaluation Strategy

The culmination of the cooperative planning between the evaluation team and the planning specialists has led to the development of an evaluation schedule which identifies priorities and the type of evaluation to be conducted with each program area. Evaluation will be initiated on approximately 40 percent of total funds awarded to applicants during the 1976 calendar year. Approximately $800,000 of funded projects will receive some level of evaluation. In addition, Part E funds will receive contract evaluation. Evaluation will be initiated on at least 23 projects within the 1976 calendar year.

Levels of SPA Evaluations

Level 1:

The SPA Evaluation staff will review reports submitted by the subgrantee. The results will be analyzed in terms of outcome, impact, noted changes, and unexpected results. Based on this analysis, where no stringent measurement criteria were required, the evaluation staff will prepare reports.

Subgrantees will be required to conduct an internal assessment of their own project results in accordance with the program narrative requirements described in the Montana Board of Crime Control booklet "Instruction for Grant Application." In addition, the SPA evaluation staff will provide reports, analyzing contract evaluations that are performed.

Level 2:

Projects determined to be intensively monitored by SPA staff evaluators are required to receive pre- and post-application conferences so that indicators and measures for internal assessment and methodology for data collection can be determined as outlined in the BCC subgrant application instruction booklet. SPA evaluators will report performance/process results in terms of meeting objectives, as well as other results or impacts of the project.

Level 3:

Projects selected to be intensively evaluated are required to receive pre- and post-application conferences. An evaluation methodology to measure change is designed to include the following where needed: comparison methods, before and after measures, time series measures, cost benefit and effectiveness, control groups, random variations, and experimental designs. Measures for data collection are outlined and a methodology for analysis is designed. Detailed monitoring will be necessary and evaluators will measure and report product results or impact and cost benefit analysis in detail where applicable.

Contract Evaluation

Prior to contracting for an evaluation, the SPA evaluators will provide assistance in formulating RFPs* and reviewing experimental designs submitted. The SPA evaluators will oversee contract performance and review results. It is anticipated that two projects at $150,000 each and Part E monies of $200,000 will be contracted for evaluation.

EVALUATION PROJECTS TO INDICATE ANTICIPATED WORKLOAD AS REQUESTED BY PLANNING INPUT

Level 1	Level 2	Level 3	TOTAL EVALUATIONS
8	10-14	1-5	23 projects
34	43-61%	4-22%	

Evaluation Staff and Training

The Montana Board of Crime Control has assigned three individuals to devote the majority of their time to evaluation. The evaluation process is one of the functions of the Bureau of Standards. The Bureau Chief will devote approximately 20 percent of his time to the administration of program/project evaluations.

*Requests for Proposal

The evaluation team is in the process of compiling an evaluation resource library, which contains a variety of completed projects, major textbooks, and new theories and methodologies. Each evaluator has attended a minimum of three major evaluation conferences, and has taken advantage of college courses in government data theory and evaluation from the Montana State University in Bozeman.

Technical assistance in statistical methods has been used and is available from Applied Management Corporation located in Denver, Colorado, and at Montana State University in Bozeman. The team will continue to attend conferences and courses pertinent to evaluation techniques and methods.

Monitors

Four field representatives will devote approximately 25 percent of their time to monitoring programs and projects within the five regions. The planning specialists within the Planning Bureau will also devote a portion of their time to the monitoring/evaluation process.

The SPA monitors the implementation, operation, and results of the projects it supports. This monitoring effort is primarily completed by the four field representatives and is accomplished by on-site project review and reporting on that review by completion of the appropriate monitoring forms number MO-1 through MO-6.

Form MO-1 is designed for general projects, MO-2 for education and training, MO-3 for manpower, MO-4 for construction, MO-5 for confidential expenditures, and MO-6 for equipment.

All grants awarded by the Board are monitored in the field. The monitoring takes place every six months on long-term grants and at the project date of termination on all others. A final monitoring takes place when the project is completed. The types of data collected through the monitoring process are portrayed on the monitoring forms attached. Monitoring information is utilized each month. Once each month, the field staff meets with other SPA personnel and uses project monitoring information to assist in the decision-making process. Monitoring information is also used throughout each month as monitoring reports are received at headquarters.

Program/Project Planning

The evaluation team of the SPA has the responsibility of developing and implementing policies and procedures to ensure the comprehensive evaluation of criminal justice activities supported by the Board of Crime Control.

Evaluation can be successfully accomplished only through cooperation of the local units of government applying for federal funds. To assist the local units in preparation of quality subgrants, the SPA has prepared an instruction booklet to be used as a guideline by local agencies. Evaluation is basically good planning and must be considered as a first step in the grant application process.

The following requirements are excerpted from the grant application instructions booklet designed by the SPA for applicants' use in preparing the narrative portion of subgrant applications. Proper attention to these 8 steps should provide a realistic plan of action capable of being evaluated.

The 8 steps are:

1. DEFINE THE PROBLEM - Identify and explain the specific problem(s) of your department.

2. EXPLAIN THE NEED - Needs are those things necessary to solve or lessen the needed resources, such as: equipment, manpower or other available services.

3. SUPPORT DATA - Accurate information is necessary to support the problem. Pertinent data, such as: caseload, number on staff, workloads, area population, area coverage and special situations.

4. OBJECTIVES - An objective is a specific statement of a measurable end result to be achieved within a stated period of time. It must be obtainable, realistic and directly related to your problem and needs, such as: what you plan to do, by when (date), and cost to reach objective.

5. IMPLEMENTATION & OPERATION - Implementation and operation is a course of action of planned activities to reach your objective. Outline your activities in your subgrant narrative.

6. EVALUATION - To effectively assess the results of your project, you should determine:

    (1) What data will be collected;
    (2) How will data be recorded;
    (3) Who will keep records;
    (4) Time schedule for compiling data; and,
    (5) How will data be analyzed.

7. INTERNAL ASSESSMENT - A self-assessment of your project results is required. This assessment should include:

   (1) An analysis of the results and impact of the project;
   (2) A comparison of the problem before and after the project;
   (3) A description of the implementation and operation of the project over time; and,
   (4) Modifications of program activities called for by the evaluation findings.

8. REPORTING - Determine and outline a narrative reporting schedule for your project.

   (1) Short duration projects (one-time expenditures) will submit a final narrative report only;
   (2) Long duration subgrants will report quarterly unless otherwise determined in a pre-application conference. The first quarterly report will be due 30 days after the close of the first FULL quarter. A final report will be submitted within 30 days of project completion.

Program/Project Implementation

While the responsibility of program/project implementation rests primarily with the subgrantee, the four regional representatives in the five regions will periodically check to see that the projects have been successfully implemented according to the grant provisions and ensure that the required reports are submitted to the SPA.

Projects outlined for evaluation will receive technical assistance from SPA evaluators to assist in implementing projects.

Pre-Application Conference

A pre-application conference will be required on applications where evaluation is required prior to submission of a formal application, of all projects to be evaluated by SPA evaluators.

A pre-application conference is intended to provide local projects with technical assistance in writing a grant, as well as to determine measures and methods so that project results can be evaluated.

Post-Application Conference

A post-application conference will be required within 30 days of project start-up. This will only be necessary for projects scheduled to receive level 2 or 3 evaluation.

A post-application conference provides the applicant with a review of the project's intent, requirements and responsibilities.

Effect of Future Planning

A successful evaluation will provide the answers to two levels of questions basic to the life of the project and future planning. The first level of questions deals with the operation of the project itself.

1. Has the project been successfully implemented, and is it progressing satisfactorily?

2. Are the objectives that were originally designed for the project being met?

3. Have unforeseen problems appeared to hinder progress or have circumstances changed the nature and operation of the project?

4. What impact did the project have on the criminal justice system either directly through the achievement of objectives or indirectly through unexpected results or side effects?

When all the above questions have been answered, the future operation of the project can be successfully determined by the SPA through a second level of questions that will be asked.

1. Should continued funding for the project be considered and should future funding for similar or like projects be considered?

2. Should funding be terminated immediately or should the project be allowed to continue to the grant expiration date?

3. Should the project be modified?

4. Does the project have sufficient merit or value to be transferred to another geographical area or should the scope of the present operation of the project be expanded to obtain optimum effectiveness?

5. Has the project contributed to the SPA planning goals and objectives?

TECHNICAL ASSISTANCE PLAN

The technical assistance needs and problems as evinced in the multi-year section of this plan are essentially in agreement with those needs identified and ranked by the five Regional Advisory Councils as a part of their respective plan inputs, and by the SPA staff specialists.

Although the technical assistance needs were not ranked numerically according to individual importance, they were chosen from a considerable list of possible need areas.

Consequently, when the five Regional submissions were combined, the following technical assistance areas were identified as most important:

(1) Consolidation of Law Enforcement Services
(2) Crime Prevention
(3) Crime Analysis
(4) Police-Community Relations
(5) Information Systems
(6) Education and Training
(7) Facilities Analysis

The Planning Committee of the Board of Crime Control reviewed and approved the technical assistance priorities, which subsequently were given final approval by the full Board.

A comprehensive statewide inventory of resources to address these technical assistance needs has not been completed and is in progress at this writing.However, resources are available, for the most part, within the SPA specialist staff and/or LEAA. The identified technical assistance needs are addressed individually below:

(1) Consolidation of Law Enforcement Services

The fact that 22 counties in Montana have already instituted full, partial, or contractual consolidations of law enforcement services and that currently 6 counties are considering it clearly identifies this area as one of primary concern and interest.

In order to provide assistance in this area, an LEAA contract consultant was utilized to look into the potential problems of a potential citycounty consolidation within the state and provide training on consolidation alternatives for SPA staff.

Two members of the SPA staff are currently providing assistance in the form of face-to-face contacts, pertinent literature, and attending local government study group meetings upon request.

(2) Crime Prevention and (4) PoliceCommunity Relations

The Police Specialist and Public Information Officer of the SPA staff conducted 6 PoliceCommunity Relations/Crime Prevention seminars across the state, with over 100 criminal justice persons attending. Upon request, these SPA staff members are available for consultation and assistance as needed.

Materials, in the form of brochures, films, etc., are constantly being developed or acquired for distribution to agencies.

(3) Crime Analysis and (5) Information Systems

Within the SPA's Research and Design Bureau, there are 4 statistical analysis and computer systems experts available to provide assistance in the area of crime analysis and computer applications.

At the present time the Bureau provides periodical statewide and regional crime analysis reports and upon request, assists local agencies with developing adequate record systems and using accumulated data.

(6) Education and Training

The primary resources for providing law enforcement education and training assistance are within the SPA staff, the Peace Officers Standards and Training staff, and the administrative staff of the Montana Law Enforcement Academy.

Technical assistance in the prosecution area is provided by the County Attorney coordinator of the Department of Justice.

Education and training assistance in the correctional area is provided by the SPA staff and personnel from the State Prison and the Department of Institutions.

(7) Facilities Analysis

Although some assistance in the facilities area is available within the SPA staff, greater reliance must be placed on outside assistance from such organizations as the National Clearinghouse for Criminal Justice Planning and Architecture and the American Justice Institute.

Utilizing the above resources and/or those technical assistance services provided by the Regional Office of LEAA and LEAA contract consultants, we are able to meet most requests for assistance. When requests are beyond the capabilities of the aforementioned resources, we must rely on support from the Regional Office of LEAA.

In the coming year, as in the past, the responsibility for identifying agencies and jurisdictions who can best benefit from technical assistance rests with the SPA's field monitors and the Planning Bureau specialist staff.

It is contemplated that in order to increase local awareness of technical assistance needs and availability, the agency's newsletter, "Checkmate," and possibly a technical assistance brochure will be used.

The SPA planning staff will, as in the past, meet regularly with the 5 Regional Advisory Councils and in order to encourage local agencies in the technical assistance area will regularly reiterate the need for and the availability of assistance in the 7 priority technical assistance areas and in other areas not considered as priorities.

Evaluation of the success or failure of technical assistance efforts will also be the duty of the field monitors and planning staff. We have not developed any grant strategy for this phase of the technical assistance effort. Our evaluation staff is currently engaged in extensive evaluations of programs and any evaluations in the technical assistance field will necessarily be conducted by other staff personnel, primarily field monitors and planners.

The methods being utilized to encourage the transfer of successful programs and projects are the newsletter, "jawboning," and programming/budgeting. We anticipate developing feature stories on successful efforts for media use and distribution. This, however, is in the formative stage and will need to be elaborated on and discussed before any strategy can be implemented.

In conjunction with the transfer of technology effort, we plan to use the selected criminal justice projects prepared and provided by LEAA as examples for local consumption. Training of field monitors and planners on exemplary projects and prescriptive packages is planned for this year as part of our continuing in-service training program. Once this is accomplished, it is envisioned that workshops/seminars can be presented at regular and special meetings of the Regional Advisory Councils by the monitors and planners.

PART FOUR: RELATED PLANS, PROGRAMS, AND SYSTEMS

RELATED PLANS, PROGRAMS, AND SYSTEMS

The following programs and systems and their relation to the criminal justice system are discussed in this section.

RELATED PROGRAMS

1. Montana Youth Development Bureau
2. Highway Safety Act of 1966
3. Montana Mental Health Facilities
4. Institutional Mental Health Facilities
5. Montana State Drug Plan
6. Montana State Alcohol Plan

L.E.A.A. GRANT PROGRAM

1. Discretionary Grants

THE MONTANA CRIMINAL JUSTICE INFORMATION SYSTEMS PLAN

STATE AND OTHER AGENCIES

1. Department of Military Affairs
   a. Civil Defense
   b. Montana National Guard
2. Department of Highways
   a. Gross Vehicle Weight Division
3. Department of Business Regulation
   a. Division of Weights and Measures
   b. Consumer Affairs Division
   c. Human Resources Division
4. Department of Social and Rehabilitative Services
   a. Rehabilitative Services Division
   b. Social Services Bureau
   c. Drug and Alcohol Countermeasure Laboratory
5. Education Programs
6. Manpower Programs
7. The Housing and Community Development Act of 1974

YOUTH DEVELOPMENT BUREAU (YDB)

The Montana Youth Development Bureau originally was established as the Rural America Project by the Juvenile Delinquency Prevention and Control Act of 1968, amended in 1972, and now Public Law 92-381.

In addition to operating with carry-over OYD monies and administering runaway youth act programs, the YDB on October 1, 1975, begins administration of youth-related Social Security Title XX programs within five broad national goals:

1. Achieving or maintaining economic self-support to prevent, reduce, or eliminate dependency;

2. Achieving or maintaining self-sufficiency, including the reduction or prevention of dependency;

3. Preventing or remedying neglect, abuse, or exploitation of children and adults unable to protect their own interests, or preserving, rehabilitating or reuniting families;

4. Preventing or reducing inappropriate institutional care by providing for community-based care, home-based care, or other forms of less intensive care; or,

5. Securing referral or admission for institutional care when other forms of care are not appropriate, or providing services to individual institutions.

The philosophy underlying this goal structure is that the highest possible level of independent functioning should be pursued. The program should move people away from relatively dependent individual functioning (characterized in the extreme by institutional placement) towards relatively independent functioning (characterized at the other end of the spectrum by financial and social independence).

Within these goals and as a result of statewide public hearings, YDB has outlined objectives in the following areas:

1. Planning and community development;
2. Youth development and primary intervention;
3. Intervention and diversion from the juvenile justice system;
4. Provision of group care treatment.

The YDB operates with a state staff and community workers in Butte/Anaconda, Missoula/Polson, Helena/Augusta, Shelby/Cut Bank, Great Falls, Billings and Glendive. The workers' responsibilities extend district-wide.

Juvenile justice planners of the Montana Board of Crime Control and Youth Development staff meet regularly for coordination of program planning, needs assessment, and grant consideration. Title III of the Juvenile Justice and Delinquency Prevention Act of 1974 (the Runaway Youth Act) is the one section of the act administered by the Office of Youth Development through Montana's Youth Development Bureau.

HIGHWAY SAFETY ACT

The Montana Highway Traffic Safety goal is to lower the accident severity and fatality rate to the minimum consistent with an efficient motor vehicle transportation system.

The following law enforcement related projects have received funding under title 402 of the Highway Safety Act of 1966 and 1973, and are coordinated by the Highway Traffic Safety Division.

1.	Automate Vehicle Records	$ 78,984.00
2.	Livingston Civil Band Radio Monitor	250.00
3.	Automate Driver License Records	25,583.00
4.	Alcohol Testing Program	21,860.00
5.	Billings Court School	6,667.00
6.	Great Falls Court School	6,666.00

MONTANA MENTAL HEALTH FACILITIES

Following is a list of community mental health facilities in the state. All 5 facilities provide out-patient mental health and/or psychiatric diagnosis and treatment for citizens. They accept referrals from the courts, and provide short-term in-patient psychiatric care, emergency consultation and education to various agencies, including law enforcement agencies.

1.) South West Mental Health Center
225 South Idaho Street - Room 103
Old St. James Hospital
Butte, Montana 59701

This unit is staffed by 9 professionals. There are satellite offices in Helena, Livingston, Dillon, and Anaconda for a total professional staff of 18.

2.) Western Montana Regional Mental Health Center

The administrative office is located in Missoula. The business office is located in Ronan. Satellite offices are located at Kalispell, Ronan, Libby, Thompson Falls, and Hamilton. The Missoula unit is staffed by 9 professionals. The satellite offices are staffed by one or more professionals for a regional total of 18.

3.) South Central Montana Regional Mental Health Center

a.) The administrative office is located in Billings. Satellite offices are located at Columbus, Big Timber, Roundup, Hardin, Red Lodge and Lewistown. The Billings unit is staffed by 21 professionals and the regional total is 40.

b.) Billings Office - Serves II counties generally.

Columbus Office - Serves Stillwater County.

Harlowton Office - Serves Wheatland County.

Roundup Office - Serves Musselshell County.

Hardin Office - Serves Big Horn County.

Red Lodge Office - Serves Carbon County.

Lewistown Office - Serves Fergus, Petroleum, and Judith Basin Counties.

4.) Eastern Montana Regional Mental Health Center

a.) The administrative office is located in Miles City. Satellite offices are located at Glendive, Glasgow, Forsyth, and Plentywood. The Miles City unit is staffed by 14 professionals, for a regional total of 20.

b.) Glasgow Office - Serves Valley, Roosevelt, Sheridan, Daniels, Phillips, and Valley Counties.

Glendive Office - Serves Dawson, Wibaux, McCone and Richland Counties.

Forsyth Office - Serves Rosebud and Powder River Counties.

Plentywood Office - Serves Sheridan, Daniels, and Eastern Roosevelt Counties.

5.) North Central Regional Mental Health Center
P.O. Box 2717
c/o Holiday Village Shopping Center
Great Falls, Montana 59403

The administrative office is located in Great Falls.

Satellite offices have been established and staffed in Havre, Cut Bank, Shelby, Chouteau, Conrad, and Chinook.

The Great Falls center is staffed with 6 social workers, one part-time psychiatrist, a program director, 2 psychologists, 2 mental health workers, 5 mental health assistants, one occupational therapist, a business manager, and secretarial pool.

INSTITUTIONAL MENTAL HEALTH FACILITIES

All four of the correctional institutions in Montana have a program of clinical services available to their inmates. During 1973 and 1974 all institutions improved services to inmates by the addition of professional staff and the expansion of their mental health programs.

MONTANA STATE PRISON

The clincial services program at Montana State Prison consists of one full-time clinical psychologist as project director, one clinical psychologist on a consultant basis, and two clinical psychologist trainees on a part-time basis. Funding for the full-time doctoral clinical psychologist became available August, 1973.

In addition to this, a Psychiatrist M.D. is scheduled to come from Warm Springs, the State Mental Hospital, for visits twice weekly.

A drug counselor from the Southwestern Montana Drug Program in Butte is available to give inmates individual counseling. He assists the inmates in developing pre-release plans for placement into community drug programs, drug therapy centers, or other treatment areas.

The alcohol program, located at nearby Galen State Hospital, is fully operational and has a representative who visits the prison. The Alcohol Treatment and Rehabilitation Center gives an orientation or pre-entry program at the prison and then accepts the inmates on a pre-release basis. The inmates are paroled directly to the Alcohol Treatment and Rehabilitation Center and do not enter employment until they have completed the program.

The prison also has obtained the services of a full-time Bureau of Indian Affairs counselor to concentrate on the special problems of Indian inmates. The "Dial Home" program was started in the medium security institution to provide closer contact between the inmate and his family via telephone. The staff/inmate committee concept is being utilized to bring deeper inmate involvement in problem solving. The "Due Process of Law" concept has become part of the disciplinary procedure. Also, procedures have been changed to allow sealed letters to go to certain state and federal officials.

A report prepared by the North American Indian League at Montana State Prison shows that an Indian's average sentence is 14.5 years, his average age is 24 years, and his average education level is 8.1 years. The report further shows that 41% are incarcerated for crimes of violence, 49% for non-violent crimes, and 10% for sex crimes.

SWAN RIVER YOUTH FOREST CAMP

Mental health services are available to the inmates of the Swan River Youth Forest Camp through the Western Montana Regional Mental Health Center. A psychologist from the Ronan satellite office visits the camp on an average of one day a week to provide treatment and testing.

MOUNTAIN VIEW SCHOOL

The Mountain View School for Girls at Helena has acquired the services of a full-time clinical psychologist for its mental health program. Clinical services now consist of testing evaluation, treatment, individual counseling, group counseling and therapy, and consultation with other staff members. The Mountain View School uses the services of the Helena satellite office for its more severely disturbed girls. The Helena satellite office has 2 professionals, including a psychiatrist M.D.

PINE HILLS SCHOOL

At Pine Hills School, the clinical services staff is in the third year of using a modified work schedule to promote better work relationships among staff through team meetings. Consistency and comprehensiveness in working together for the benefit of the students has increased, and a closer working relationship with the entire Pine Hills School staff has evolved from this system.

The Clinical Services staff of twelve continues to offer a comprehensive medical, social psychological, and psychiatric evaluation and treatment plan to each student.

The school staff has continued to place emphasis upon improving the treatment program in the discipline unit. Emphasis is on treatment and understanding rather than punishment. They have added a supervisor-counselor in the discipline unit to coordinate this program with that of the clinical services department. The clinical staff is directly involved with the treatment process and boys who demonstrate acute behavior problems are receiving more individual help than previously.

The Montana Drug Abuse Prevention Plan

The Federal Drug Abuse Office and Treatment Act of 1972 directed the development and promulgation of a comprehensive, coordinated,long-term strategy for all drug abuse prevention and drug traffic functions conducted, sponsored, or supported by the federal government. The Act also empowered the federal government to set standards and assist state and local governments in expanding their drug efforts.

By Executive Order an Addictive Diseases Unit was created in April, 1973, within the Office of the Governor. This unit was transferred July 1, 1975, to the Department of Institutions. The Addictive Diseases Division now has subsumed the Addictive Diseases Unit along with responsibility for coordinating all activities pertaining to drug addiction.

The Drug Coordinator serves under the general auspices of the Addictive Diseases Division. The Coordinator and his staff are responsible for training, education, and information dissemination and for coordination activities with treatment facilities in the state. This office provides coordination and further direction to the above-mentioned activities and programs as they occur within Montana.

THE MONTANA STATE PLAN FOR ALCOHOL ABUSE AND ALCOHOLISM PREVENTION, TREATMENT AND REHABILITATION

The 1975 Montana State Plan for Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation was developed to insure continuity in planning and programming, to qualify the state of Montana for participation in the formula grant program authorized by P.L. 91-616 and P.L. 93-282, and to fulfill requirements of Section 80-2711, R.C.M. 1947. As of October 1, 1975, the Alcohol Services Division physically was transferred from the Department of Health and Environmental Sciences to the Department of Institutions.

Sections 80-2701 through 80-2722, R.C.M. 1947

The 1974 Montana Legislature passed legislation which subsequently became law that recognized alcoholism as an illness, and provided that proper treatment programs for alcoholism be established, maintained, and encouraged. It also was provided that Montana's efforts be coordinated and made to cooperate with those in other states. Guidelines were drawn for a comprehensive treatment program, and standards set for private and public treatment facilities.

Appropriation legislation also was passed and signed into law in 1974, which subsequently became law that recognized alcoholism as an illness; and provided that proper treatment programs for alcoholism be established, maintained and encouraged. It also was provided that Montana's efforts be coordinated and made to cooperate with those in other states. Guidelines were drawn for a comprehensive treatment program, and standards set for private and public treatment facilities.

Appropriation legislation also was passed and signed into law in 1974, which provided for an increase in the revenue tax imposed on the sale of retail alcoholic beverages. These tax monies are intended for use in the implementation of Section 80-2701 through 80-2722, R.C.M. 1947.

The 1975 Montana Legislature passed legislation entitled S.B. 61, which became law as Sections 80-2723 and 80-2724, R.C.M. 1947, which stipulates that intoxicated persons be exempt from criminal prosecution for that condition, and instead be provided with proper treatment. The 1975 Legislature also passed legislation which transferred the State Alcoholism Authority from the State Department of Health and Environmental Sciences to the State Department of Institutions.

As authorized by P.L. 91-616 and P.L. 93-282, the State of Montana is eligible for $200,000 per year in formula funds from the National Institute on Alcohol Abuse and Alcoholism. The allocation of FY 1974 P.L. 91-616 formula funds were allocated on a regional basis to the four Comprehensive Health Planning Councils, Action for Eastern Montana and the Montana Indian Commission on Alcohol and Drug Abuse. The formula grant of $200,000 was utilized in the following manner: Allocation to planning areas - 85.5%, Administration - 10.0%, Training 3.0%, and Evaluation - 1.5%.

In FY75, the total monies allocated from the State General Fund for Alcohol programming was $545,000. Nine percent was allocated for Administration and 91% was used for contracts and grants for alcohol programs statewide.

LEAA Discretionary
Grant Program

The following is a list of the active discretionary grants processed through the Board of Crime Control:

75-DF-08-0013
Chippewa-Cree
manpower & equipment
$19,404

75-DF-08-0005
Ft. Belknap
staffing
$49,660

75-DF-08-0021
Ft. Belknap
3 police cruisers
$17,435

75-ED-08-0004
Blackfeet Tribe
juvenile corrections center
$230,274

75-ED-08-0003
Cascade County
diversion intervention program
$90,882

75-SS-08-0002
MBCC
comprehensive data system
$137,858

73-P-08-0003
Indian criminal justice coordinator
$21,000

75-TA-08-0001
MBCC
creative planning workshop
$7,625

75-JS-08-0002
MBCC
juvenile support
$15,000

73-P-08-0001
Indian coordinator
$21,000

74-DF-08-0034
MBCC
standards & goals
$400,653

74-SS-08-0004
MBCC
comprehensive data system
$112,586

74-DF-08-0029
Ft. Peck
4 juvenile delinquency
workers
$39,958

74-DF-08-0034
Deer Lodge County
public defender program
$50,000

74-DF-08-0030
Crow Agency
courthouse
$80,000

74-DF-08-0005
Ft. Peck
2 patrolmen, 2 cars,
2 4-wheel drives
$28,861

74-DF-08-0028
MBCC
evaluation program
$125,000

THE MONTANA CRIMINAL JUSTICE

INFORMATION SYSTEMS PLAN

The Research and Design Bureau of the Board of Crime Control has developed a Criminal Justice Information Systems Plan for the statewide development, implementation, and operation of integrated criminal justice information systems. This Plan will be presented to the State CJIS Advisory Committee for its review, modification, and acceptance as the official State CJIS Plan, which in turn is intended to lead to the orderly development of criminal justice information systems and the maximum use of limited resources.

The lack of reliable and accessible information about crime is a serious problem in Montana and as a result, planning, implementation, management, and evaluation of programs to reduce crime are restricted. Responsible criminal justice decision making is hampered, and necessary allocation of resources at both the state and local level is prevented.

The purpose of the Montana Criminal Justice Information Systems Plan is to document a method of providing information to state and local criminal justice agencies that will assist in the apprehension of criminals, the reduction of personal risk of arresting officers, the expeditious handling of court cases, and the effective treatment of offenders.

The Plan sets guidelines for all components of the state's criminal justice community for the development of an integrated statewide system of information collection and distribution. It establishes goals and objectives, defines roles and responsibilities, identifies system requirements, and develops policies and priorities for the orderly development of both automated and manual information systems pertaining to the state's criminal justice system. A 5-year implementation schedule and a discussion of standards and controls for information systems are included in the Plan.

The CJIS plan has been updated to include the Offender Based State Correctional Information System (OBSCIS), which is being developed by the Department of Institutions. The CDS program will also be guided by the directions established in the CJIS plan.

The Plan presents a challenge to the state's criminal justice agencies. State and local agencies are encouraged to develop their own criminal justice information systems plans. It is expected that this Plan will provide the basis for development of criminal justice information systems in Montana.

Refer to "The Montana Criminal Justice Information Systems Plan," a separate volume that may be obtained from the Montana Board of Crime Control, Research and Design Bureau.

CIVIL DEFENSE

The Civil Defense Office is responsible for coordinating emergency response of all local law enforcement units in event of natural disasters, civil disorders, or possible foreign attack. The Civil Defense Office has assisted each of the 56 counties in developing an emergency plan. Each county has a basic plan, and some have developed more elaborate plans for any emergency.

Civil Defense directly assists in the coordination of county government activity in case of a civil disorder or emergency situation. Additionally, the Civil Defense office will provide any county with excess or surplus government property in order to legitimately increase this readiness. Excess property is defined as major items such as vehicles that are loaned to the county for 5 years. Surplus property is defined as smaller items that are within the budget of the county and can be purchased at reduced costs. There are basically 4 types of equipment: office equipment; ground transportation of all types; emergency medical equipment; and, search and rescue equipment.

The Civil Defense is headquartered in Helena with a staff of 18 including contract personnel. The office also has 6 district headquarters strategically located throughout the state. Each is staffed with a full-time person. Each county provides one person to work with civil defense on a part or full-time basis.

The total budget of the state Civil Defense program is $348,000 per year excluding county participation.

MONTANA NATIONAL GUARD

The governor is commander-in-chief of the militia forces of the state, except when they are in the actual service of the United States. He may call out any part or all of the forces to aid in the execution of the laws, suppress insurrection, repel invasion, or protect life and property in natural disasters.

The National Guard has a military support to civil authority office located in Helena.

The National Guard assists communities in developing and revising plans for coordinated state and local emergency response. A civil disturbance control plan has been developed in 6 major Montana cities. This plan can be expanded to other areas or communities where a potential emergency situation exists.

The state headquarters for the Army and Air National Guard administration are located in Helena. The Air National Guard is located in Great Falls. Four other major units are headquartered in Billings, Bozeman, Kalispell, and Missoula. There are also 30 sub-units strategically located throughout the state. The Army National Guard has 2,660 men and women and the Air National Guard has 900 men and women. The combined annual budget from state funds is $350,000

Department of Highways

GROSS VEHICLE WEIGHT DIVISION

The Gross Vehicle Weight Division is primarily responsible for registration and enforcement of vehicle size and weight laws. It has 7 major duties to perform:

1. Inspection of all intra-state trucks, and trailers and the collection of gross vehicle weight fees;

2. Registration of all interstate vehicles requiring proportionate registration;

3. Issuance of permits for all oversized and overweight vehicles and loads and the enforcement of all size and weight laws;

4. Issuance of permits and inspection for taxation of the movement of mobile homes;

5. Enforcement of commercial vehicle moves (factory to factory and dealer to dealer) of all new and used vehicles;

6. Enforcement of fuel tax laws; and,

7. Enforcement of importers gasoline tax laws.

The G.V.W. division has a statewide network of 31 checking stations. Of these, 8 are mobile and move throughout the state. Currently, the 55 uniformed G.V.W. officers are designated as peace officers. They now attend basic school at MLEA and have the power to arrest for violations of G.V.W. regulations.

WEIGHTS AND MEASURES DIVISION

The Division of Weights and Measures is responsible for weight and quantity control of consumer products throughout Montana. The Division regularly checks the accuracy of and seals all weight scales. Personnel also check and verify quantity in product packaging.

The special police powers that were vested with the state sealer were changed by the 1975 Legislature to regular police powers. In enforcing the provisions of the department or any other law pertaining to weights and measures; the department may, in the manner provided by law for peace officers, arrest violators, conduct searches and inspections, and seize for use as evidence incorrect or unsealed weights and measures or packages of commodities unlawfully used, possessed, offered, or exposed for sale or unlawfully sold.

The department has 8 field men covering 6 districts within the state. Ten men have police power. Last year they assessed penalties for violations but made no arrests.

CONSUMER AFFAIRS DIVISION

The Montana Legislative Assembly, during the 1973 session, enacted the Montana Unfair Trade Practices and Consumer Protection Act. This act defines unfair methods of competition and unfair or deceptive practices in the conduct of any trade or commerce. The Act also provides investigative procedures and penalties for violations of the Act.

The responsibility for the administration and enforcement of the act rests with a state office and the County Attorney's office in all 56 counties.

On the state level, a Consumer Protection Division has been established within the Department of Business Regulation. It is staffed by 3 people, an administrator, a staff attorney who may initiate legal action and a secretary.

This office processes statewide consumer problems and complaints of a civil nature and has concurrent jurisdiction with first and second class counties. Criminal cases may be handled only by the County Attorney. The state office also may define unfair practices, promulgate rules relating to unfair practices, refer cases to County Attorneys, and coordinate and act as a clearinghouse for all cases within the state. The total state budget for this office is $53,000 per annum.

The first-class and second-class counties may designate or appoint a consumer advocate and the counties of Missoula, Yellowstone, and Cascade have either an investigator or a deputy county attorney assigned to process consumer problems and complaints.

New legislation since 1973 includes the following:

(1) A 3-day cooling off law for consumers who enter a contract for payment. A consumer may rescind a contract and receive a full refund on a down payment of $25.00 or more.

(2) A consumer protection bill provides a penalty for chain distributor schemes.

(3) Correspondence courses, business colleges, and other post secondary sources of education which are not accredited by a state or national association may be licensed or regulated by the Department of Business Regulation.

(4) The Division has the authority to provide rules and regulations for consumer reporting agencies.

Human Resources Division

The Office of Econimic Opportunity has been absorbed and centralized within the Human Resources Division of the Department of Community Affairs. Rocky Mountain Development Council, a community action program serving the three counties of Lewis & Clark, Jefferson, and Broadwater, opted to remain independent of the state and contracts directly with the federal government.

The State of Montana has 9 operational community action programs, which are active in all 56 counties and on each of the 7 Indian reservation. The Human Resources Division contracts, reviews, programs and funds the community action programs in each of Montana's 12 planning regions for community development services.

The services currently offered are: Alcoholism Information and Referral, Operation Headstart, Community Service Workers, Farm Worker Advocacy, Family Planning, parts of the Comprehensive Employment Training Act, and residential winterization for the poor and aged.

During 1975 approximately 6,000 individuals received financial or other benefits of one or more of the services. The total budget for all OEO programs in operation in FY 1974 was approximately $7,000,000.

REHABILITATIVE SERVICES DIVISION

The Rehabilitative Services Division, one of the divisions under the Montana Department of Social and Rehabilitation Services, operates the vocational rehabilitation Services, operates the vocational rehabilitation program in Montana and is federally funded through the Rehabilitative Services Division of the Office of Human Development, HEW.

The objective of the Rehabilitative Services Division is to maintain a high level of service for the state's mentally, physically, and visually handicapped persons helping in them to achieve their fullest physical, mental, social, vocational, and economic potential.

Rehabilitative Services, in coordination with other agencies, will continue to develop and expand existing services to inmates and releasees of Montana's correctional institutions. Full-time counselors are employed at Montana State Prison, Pine Hills School, and the Swan River Youth at Mountain View School in Helena.

In 1975, 455 public offenders referred from county and three state institutions received services. This was approximately 10 percent of the total division caseload. In 1975, 150 individuals released from the state correctional institutions were permanently employed through the efforts of Rehabilitative Services counselors and their cases were closed as being successfully employed.

The Rehabilitative Services Division has a total of 100 personnel including 33 counselors. The total budgeted for 1976 for case services is $1,810,000.

SOCIAL SERVICES BUREAU

The program of the Social Services Division, another bureau under the Montana Department of Social and Rehabilitative Services, is designed to deliver family and child services on an individual and group basis to economically deprived, abused, exploited, or neglected children, and to provide public social services directed toward achieving social rehabilitation and economic independence for each individual and family.

The bureau has 5 basic goals designed to provide comprehensive service to children, families, and adults: to treat present dependency, provide self sufficiency, provide protective services, provide services to reduce inappropriate institutional care, and to seek institutional care when appropriate.

The relationship of social service programs to law enforcement is in service to juvenile and adult corrections cases. Adjudicated delinquent girls under the care of the Department of Institutions who are pregnant are referred to the Social Services Bureau for services and supervision.

The bureau caseworkers cooperate with local law enforcement, courts, and probation and parole officers in providing service to troubled youth and adults. Each of the state's 56 counties has at least one caseworker who can provide adult, family and juvenile services to the public.

ALCOHOL AND DRUG COUNTERMEASURE LABORATORY

This laboratory, staffed by 2 chemists and a technician was established by a grant from the Highway Safety Act. The laboratory has 3 main responsibilities: the maintenance of the 14 Alco-Analyzer units in the field, the certification of operators and operator supervisors, and maintaining and monitoring the proficiency of all operators in the state.

The laboratory has set up 14 breath analysis machines throughout the state to be used by 200 qualified operators. Each year these units analyze some 1,800 samples.

The laboratory also supplies, free of charge, some 2,500 mobile alcohol breath testing kits (sobormeters) annually to requesting law enforcement agencies.

The laboratory also has a Varian 2800 Gas Chromatograph used to analyze body fluids for dangerous substances. This unit will detect barbiturates, amphetamines, opiates, and methadone.

The laboratory charges the Highway Patrol $5 for a blood analysis and will analyze samples from all other law enforcement agencies received through the Highway Patrol. In FY 1975 the laboratory analyzed 795 blood samples, 790 breath samples, and 31 urine samples.

The laboratory has analyzed a total of 1738 tests for law enforcement agencies and of this total, 1526 or approximately 88% of these were found to be over the 0.1 percent of the presumptive level of intoxication for the implied consent law.

Expert witness testimony has been supplied in court approximately 35 times by members of the laboratory unit throughout the state.

The annual budget for the laboratory is $42,000.

Education Programs

Title I of the Higher Education Act of 1965 authorized the use of federal funds to conduct community service and continuing education programs. Montana State University in Bozeman is the office designated to administer such funds.

The Commission on Higher Education is the vehicle or the agency that actually administers the various programs. Any institution of higher learning or any state or local agency may make application for participation in the program or may act as sponsor for a program provided that the program falls within the intent and scope of Title I.

Manpower Programs

All manpower training programs operating in Montana are open to former inmates of all correctional institutions without regard to race, color, creed, sex, or age. However, applicants must meet the standard enrollment criterion, which generally requires the individual to be earning less than the federally established poverty income level.

Federal-state funding for manpower training programs in the past fiscal year amounted to approximately $15 million.

A $58,000 grant is continuing to assist former inmates of the state prison in securing and retaining employment. The Rehabilitative Resource Agents grant provides outreach, intake and assessment, counseling, job development, job placement and follow up, transportation, protective clothing, and job tools. Three counselors providing these services are located in Helena, Billings and Missoula.

A new federal act, the Comprehensive Employment and Training Act of 1973, has centralized administration and absorbed many of the general employment programs in Montana. Those that are currently operational and not part of CETA are the Bureau of Apprenticeship and Training, Adult Basic Education, the Concentrated Employment Program, the Work Incentive Program, and Vocational Rehabilitation Programs.

This legislation has significantly altered federal involvement in a wide range of housing and community development activities. Title I, the Community Development section of this act, consolidated several existing categorical grant programs for community development into a new single program of community development block grant. The block grant approach is more flexible than categorical grants and delegates to the local government more decision making responsibility. However, some federal limitations on the expenditure of these funds by the local government continue to exist. The categorical grant programs terminated by this act are:

1. Open Space - Urban Beautification grants
2. Historic Preservation grants
3. Public Facility Loans
4. Water and Sewer and Neighborhood Facilities grants
5. Urban Renewal and N.D.P. grants
6. Model Cities grants
7. Rehabilitation loans

The cities of Helena and Butte received sizeable funds under some of these programs, especially Model Cities and Urban Renewal, between 1969 and 1975.

The primary objective of the Community Development funds is the development of viable urban communities by providing decent housing and a suitable living environment and expanding economic opportunities primarily for persons of low and moderate income. This objective is to be achieved through the elimination of slums and blighted and detrimental living conditions, conservation and expansion of housing and housing opportunities, increased public services, improved land uses, increased neighborhood diversity, and preservation of property with special value.

There are three basic categories for which community development funds are allocated to cities and rural areas:

1. Metropolitan cities with a population over 50,000 are allocated funds on a formula basis. This includes Billings and Great Falls.

2. Entitlement cities, which have previously received Model Cities, Urban Renewal, or one of the other categorical grant programs that were terminated. Helena and Butte are in this category.

3. Non-Metropolitan discretionary block grants. Grants to rural cities or counties usually for a specific project.

Helena as an entitlement city was allocated on a formula basis $2.8 million in fiscal year 1975, and the city of Butte was allocated $1.8 million.

PART FIVE: 1975 PROGRESS REPORT

A. PROGRAMS

MANPOWER

1) Funding Level: $199,970

2) Goal: To provide assistance to criminal justice agencies by increasing manpower, to thereby maximize efficiency and service, and to increase the level of criminal justice professionalism throughout the state.

3) The program increased manpower and personnel flexibility by providing initial or continued salary support for 18 LEEP graduates in law enforcement agencies around the state.

Salary support was provided for 15 officers to replace regular officers while attending basic training at the Montana Law Enforcement Academy.

The manpower level of juvenile probation officers has been raised by 63% with the establishment of 17 new positions since the inception of this program. Caseloads have been reduced and probation administrators have been able to spend more time developing community resources.

Continued support has been provided for the county attorney coordinator to develop training for prosecutors, assist in legislative matters, function as a legal resource person to prosecutors, and develop a clearinghouse for prosecutorial information exchange.

Legislative matters occupied much of the coordinator's time. This involved informing county attorneys of bill status and testifying before legislative committees on a number of bills which were of interest to the county attorneys.

The coordinator was successful in getting the legislature to pass 6 bills during the session.

A brief bank has been established and is providing a valuable service to county attorneys. Training sessions have proven successful in providing and disseminating information to county attorneys through the state.

This program has also provided funding for a corrections administrator to better coordinate activities between correction superintendents in the Department of Institutions.

Funding was approved for continuation of a psychologist's salary in the State Prison to provide clinical services to the incarcerated. By virture of a $45,000 subgrant, a diagnostic and evaluation component was initiated in the state prison. The assistance provided for a psychiatrist, psychiatric social worker, and secretary. Their goal being to establish a presentence evaluation for recommendations on alternative district court sentencing.

The services of these professionals are useful in assessing and dealing with emotional and psychological needs of the inmates, in helping inmates achieve better self-understanding and more appropriate social behavior. The project is now in beginning stages, and it is anticipated that its efforts will result in significant benefit to inmates as far as rehabilitation is concerned.

Manpower support to Montana's institutions for delinquent youth has established a 45-day diagnostic service available to local jurisdistions. The service provides a screening device for the commitment of youth.

An intensive care cottage at Mountain View School for Girls was also staffed through this program.

4) None of the projects implemented in this program area encountered serious problems.

5) The projects that are found to have positive effects on crime and the criminal justice system will be continued and/or expanded, but those that experience minimal or no impact on the criminal justice system will be modified or discontinued.

TRAINING

1) Funding level: $209,793

2) Goal: To improve the quality of service delivered by criminal justice personnel by providing educational opportunities for continued and increased professional development.

3) The P.O.S.T. Council of the Board of Crime Control increased the Basic Course at MLEA from 200 to 280 hours and redesigned it to include development of investigative techniques. The Advanced Course incorporates new and advanced techniques for law enforcement personnel.

   The Basic, Intermediate, and Advanced Courses were mandated as a requirement for peace officer certification.

   Basic Certificates were issued to 550 officers, 115 Intermediate and 49 Advanced Certificates. To teach POST courses, 72 Instructors were certified.

The video-cassette training program was expanded to circulate two programs around the state simultaneously.

The council assisted MLEA in developing regional specialized training courses and eight such courses were presented. A new procedural and regulations manual was developed and distributed to all law enforcement agencies, state and local governmental officials.

The Juvenile Probation Officers Association obtained funds to conduct two management seminars designed to increase their capabilities as administrators.

The largest and most notable subgrant in this program area was one of $175,000 to the Montana Law Enforcement Academy for expansion and upgrading of its curriculum, addition of specialized training equipment, and development of professional law enforcement instructors and administrators for both the Academy and individual department in-service programs. The impact of the Academy on the criminal justice system has and will continue to be to enable law enforcement personnel to keep abreast of newest information and techniques, instill confidence and professionalism in the personnel, improve law enforcement/community relations, and generally to provide continuing opportunity for Montana's law enforcement personnel to obtain the highest quality in knowledge and skills so as to best serve the public and the criminal justice system.

4) None of the projects implemented in this program area encountered serious problems.

5) Projects in this important program area will continue to be funded and expanded due to the ever-increasing need for professionalism and capability of criminal justice personnel. The focus will continue to be on improvement of the Montana Law Enforcement Academy as the center of law enforcement training. There will continue to be need for well-trained staff personnel in the institutions, and for judges, prosecutors, etc., so that they may continually expand their knowledge and expertise.

   The Probation Officer training will be expanded to a year-long program in conjunction with Montana Universities and colleges.

EDUCATION

1) Funding level: $118,094

2) Goal: To provide practical working experience to law students and LEEP students through internships in criminal justice agencies; to develop curricula and provide teacher training in law related education in primary and secondary schools; to provide college-level classes to qualified inmates of Montana State Prison; to assist criminal justice agencies in developing a public communication capability.

3) The law student intern program placed forty-two students with law enforcement-related agencies. Thirty-one served in the offices of county attorneys. Of the remaining 11, 4 clerked for district judges and the others were scattered among 2 sheriffs, a city attorney, a public defender, a probation officer, and a tribal court.

Funding enabled LEEP students from 3 college-level institutions to also gain practical experience working with criminal justice agencies. Besides increasing manpower, this project has been effective in recruiting students to return to work in the Montana criminal justice system following graduation.

Six MLEA-accredited police-community relations seminars were conducted at various locations around the state and have shown that a need exists for better understanding and cooperation between police and the people they serve. Multiple phases of the subject were covered by films, lectures, and panel discussions. Attendees felt the seminars were beneficial and wanted longer sessions.

A $22,500 subgrant was awarded to the state prison to continue and improve its post-secondary education program for qualified inmates. The project continues to enjoy success, with 358 student-inmates enrolled in academic classes. The 16 courses offered in 1974-75 were of a general and useful nature in many subject areas. The costs covered by the funding included student tuition, books, supplies, and testing. It is hoped that the two parts of this program will result in strengthening positive attitudes toward education and society in general.

4) None of the projects implemented in this program area encountered serious problems.

5) It is anticipated these projects will continue to be funded in the future, expanding those found to be of benefit in the criminal justice system. Those whose results have minimal or no favorable impact will be modified or discontinued. It is an area, however, for which the need should continue to increase.

EQUIPMENT

1) Funding level: $7,979.00

2) Goal: The overall goal of this program is to assist criminal justice agencies in acquiring adequate equipment for the performance of their respective criminal justice functions.

3) During the year, 158 subgrant awards were approved for agencies throughout the state. Although many requests were approved for basic police equipment, the trend appears to be shifting to educational and specialized equipment as criminal investigation becomes more sophisticated.

The impact of equipment on criminal justice agencies has enabled law enforcement to keep abreast of the latest in training and investigative methods, which results in an effective and efficient professionalism in the criminal justice system.

4) No problems were encountered in this program area.

5) It is anticipated that equipment requests in the future will be program related and will demonstrate the potential of having an impact on the criminal justice system, rather than a "stand alone" piece of hardware.

FACILITIES

1) Funding level: $106,290

2) Goal: to assist in providing new or improving existing criminal justice facilities.

3) Funding was provided to the Department of Institutions to support group care facilities in 12 Montana communities. This program serves over 100 youths and will be supported by state and local funds in future years.

Two short-term shelter care facilities were funded in Helena and Anaconda as alternatives to "jail detention." These facilities also provide an opportunity to conduct diagnostic services on the local level.

4) None of the projects implemented in this program area encountered serious problems.

5) Continued funding will be provided for successful projects under this program. Court and jail facilities will also be upgraded under this program. Extensive activity is anticipated in the area of detention and shelter care facilities over the next few years.

OPERATING STANDARDS

1) Funding level: $258,133

2) Goal: To encourage the partial or total consolidation of local law enforcement facilities, services, and operations by providing funding incentives.

3) Missoula City/County and Billings/Yellowstone County each were awarded approximately $70,000 to hire a planning coordinator in each area to assess community needs and develop a crime-specific strategy to reduce the incidence of those crimes.

A $42,000 subgrant award was made for a consolidated city/county felony/drug team effort in Silver Bow County. Their objective is to increase drug arrests by 20% and prepare better case files to improve the ratio of convictions by 20%.

Continued funding was provided for the second phase of Missoula City/County Law Enforcement Unification. This phase included developing a conceptual design for a dispatch center, data system microwave relay, and facility remodeling.

With an award of $33,521, Livingston/Park County began its police-sheriff consolidation effort. This includes a centralized records and dispatch center, photo lab and jail facilities. The overall goal is to eliminate duplication of effort and increase law enforcement efficiency.

Broadwater County Sheriff's Department, under a contracted services agreement, provides law enforcement to the Town of Townsend. A subgrant was awarded to provide an addition to the jail and upgrade the communications system.

The drafting of a code of rules of evidence for Montana is near completion by the Supreme Court Commission. The Montana Board of Crime Control has allocated $10,000 for fiscal year 1976 to complete and publish a draft of the rules.

4) None of the projects implemented to this program area encountered serious problems.

5) Funding for projects such as the above should continue as consolidation and standardization of operating procedures is seen as a need in all areas of the criminal justice system.

SERVICES

1) Funding level: $34,097

2) Goal: To provide services in the way of technical assistance, counseling, etc., to criminal justice personnel and agencies, and to offenders being held in institutions and facilities; to provide public information programs for community awareness.

3) Several projects have been funded to local juvenile courts which encourage the development of intensive counseling activities for delinquent youth. These projects include: A former delinquent working with a small high-risk caseload, an extensive diagnostic project, a family counseling project, and a contract with a private firm to work with a small high-risk caseload.

   Due to the termination of funds to the Office of Youth Development, several projects were funded from Part C monies to ensure the stability of those programs.

4) None of the project implemented in this program area encountered serious problems.

5) Those projects that prove most useful and beneficial to the criminal justice system will be expanded. Maximum communications capability should be achieved for all agencies, and the capability of the state planning agency to collect and analyze crime data should be increased.

INFORMATION SYSTEMS

1) Funding level: $190,820

2) Goal: To encourage the development of information and communication systems to support the operational and management requirements of criminal justice agencies.

3) Description: The following activities were funded:

   o The continued support of Electronics Research Laboratory to provide technical assistance for an integrated statewide communications capability and the providing of communications equipment (radios, repeater systems, etc.) to law enforcement agencies.

- The continued support of the Montana Law Enforcement Teletype System (MLETS) on a declining basis with the state picking up more of the operating cost. MLETS supports computerized message switching among law enforcement agencies and provides a direct link to NCIC and MLETS for information on wanted persons, stolen articles, and vehicles.

- The continued support of the State Planning Agency to collect and analyze data for support of criminal justice planning and research.

- A comprehensive State Criminal Justice Information Systems Plan was written for subsequent review and modification.

- The development of an automated City/County Law Enforcement Information System in Billings. The first year's effort resulted in a conceptual design of the system and development of an investigation component with fingerprint analysis, personal description, and modus operandi capability.

- A statewide juvenile probation information system designed with the assistance of the Juvenile Probation Officers Association to increase the management capability of juvenile courts will be operational this calendar year. This system will provide an accurate picture of juvenile court activities from referral through disposition.

4) Problems: Problems encountered in this program area include:

- Coordination of individual information systems to maximize available resources and minimize duplication of effort.

- A lack of financial resources to meet the demand for automated information systems.

- Privacy and security regulations are expected to impose a severe financial burden upon criminal justice agencies.

5) Those projects that promise to benefit the State's criminal justice system will be initiated and expanded within available funding. The emphasis will be on the coordination of criminal justice information systems through development of an official State CJIS Plan. The recommendations of the Standards and Goals project will be incorporated into the overall planning and funding of information systems.

B. SELECTED PROJECTS

I-1. Project Title: Silver Bow County Deputy Sheriff Manpower Assistance

Funding:

Federal	$ 6,618.39	50%
State	367.68	03%
Local	6,250.70	47%
TOTAL	$ 13,236.77	

I-2. Objectives:

Juvenile Officer Position

To outline position of juvenile officer within department within three months, or by December 31, 1974.

Procedures and Training

a) To conduct a meeting with fellow deputies by October 31, 1974,to explain new procedures and objectives (codes for juvenile officer); and,

b) To interview ten people before March 30, 1975 to see if there is interest in regional training

Recordkeeping and Reporting

a) To establish one uniform means of initial crime reporting;

b) To establish a client file on all felony offenders by January 30, 1975;

c) To establish client file on third misdemeanor offenses by January 30, 1975;

d) To limit the number, as evidenced by client folders, of contacts made with juveniles on misdemeanor type offenses to three by April 30, 1975;

e) To establish Monthly Wrap Up Sheet for statistical analysis of juvenile crime within three months, or by December 31, 1974; and,

f) To compare Monthly Wrap Up Sheets for statistical comparison.

I-3. The following have been established:

A. Monthly Wrap Up Sheet -- uniform means of crime reporting;

B. Youth Offense Report -- list of offenses;

C. Client File -- contains youth offense report, investigation and arrest report and master sequence card;

D. Other records kept for the purpose of assessing whether objectives were or wer e not met such as recording activity dates, attendance, position chart, etc.

I-4. The police department, sheriff's office, and Highway Patrol have consolidated the youth division and one central recordkeeping system for all juvenile offenses.

A Monthly Wrap Up Sheet providing category totals for age, sex, type of offense, and time period of day the offense occurred, has been established.

The Youth Offense Report is used by all departments and a Monthly Wrap Up Sheet is maintained to provide a total view of youth booked each month and quarter.

A client file for each juvenile that comes in contact with a law enforcement officer was established by January 30, 1975. All felony offense reports are completed and recorded in the client file (master sequence card) and a copy is sent directly to the probation office.

I-5. -An SPA evaluator conducted preapplication conferences to lend technical assistance in planning and writing objectives and subgrant application;

-analyzed reports and assessed operations of each quarter and last ten months;

-compared actual achievements against stated objectives;

-conducted on-site visit for interviewing, reviewing and collecting data; and,

-accomplished on-site monitoring.

I-6. a. On-site visit to monitor progress
b. Sample of data collected
c. Interview - project director, deputy hired under subgrant, SPA evaluator, and a sample of the youth involved.

I-7. a. Project Director
b. SPA Evaluator
c. Deputy Juvenile Officer hired for the project.

I-8. The results obtained from this project will be utilized in future plans to develop, fund, or implement similar projects in other areas of the state within the manpower program category.

II-1. Lewis & Clark County Sheriff
Community Relations Officer Project

Project Budget:

Total Budget	$20,505.30
Federal & State Match	$12,901.00
Local Cash Match	$ 6,138.00
Evaluation	$ 500.00

II-2. Objectives:

a. Reduce by 50% occurence of crime in public housing areas.

b. Reduce by 50% the shock effect of crime (fear and uneasiness) on the public housing residents.

c. Reduce by 50% shock effect of crime (fear and uneasiness) on the public housing senior citizens.

II-3. The evaluators conducted a pre and post survey to measure attitude change concerning fear and anxiety over the duration of the grant.

The same pre and post test to measure attitude change of senior citizens was used.

II-4. a. No measurement design was devised to measure objective I.

b. A small sample was obtained at beginning of project (through police department), but no plans for follow-up were outlined.

a. Objective II was not met because it was not measured. It appears that the amount of funds was insufficient to effectively measure an objective of this type.

b. The objective was somewhat unrealistic and consequently, not obtainable.

II-5. Funding was provided in the original award to hire an outside consultant. The monitoring and evaluation was accomplished by: Consultants Collaborative, Canyon Ferry Route, Helena, Montana.

II-6. a. Review the critique completed by an SPA evaluator.
b. Review the questionnaire designed by the consultant to measure attitudinal change.
c. Interview

1. Project Director
2. Private Consultant
3. Community Relations Officer
4. SPA Evaluator

II-7. a. Project Director
b. Community Relations Officer hired for the project
c. Sheriff
d. Consultant
e. SPA Evaluator

II-8. The results realized from this project could be beneficial in future plans to develop, fund, or implement similar projects in other areas of the state within the manpower program category.

III-1 Deputy Probation Officer

Funding:

	Custer County	Rosebud County
Federal	$ 6,568.00	$ 7,873.86
State	365.00	303.75
Local	6,203.00	2,320.89
TOTAL	$13,136.00	$ 10,498.50

III-2. Objective: Reduce the current staff caseload from an average of 50 juveniles per month to an average of 33 juveniles per month per juvenile probation officer, by November 1, 1975, at a cost of $33.45 per youth per month.

III-3. a. Monthly Arrest Register
b. Monthly Contact Sheets
c. Referral Record
d. Probation Record
e. Master Card File
f. Individual Client Files

III-4. The following provide evidence as to whether the project met its objectives:

a. Monthly Arrest Register

Records each juvenile, date arrested, birth, race, sex, county, name, charge, and disposition.

b. Monthly Contact Sheet

Verifies caseload amounts (probationers and referrals) and time spent per youth per probation officer for each month.

c. Referral Record

Records number of juveniles referred to probation office per month. (Chart also available to show graphic illustration of referral amounts by county)

d. Probation Record

Records number of juveniles on probation per month

e. Master Card File

Record of all youth in district, maintained in central office - Miles City.

f. Individual Client Files

Record on each youth, maintained in each county, social history on each juvenile.

III-5. An SPA evaluator accomplished the following:

a. conducted preapplication conferences to lend assistance in planning and writing objective;

b. analyzed reports and ran comparisons of conditions between quarters and past years operation;

c. compared actual achievements against stated objectives; and,

d. conducted on-site visit for interviewing, reviewing, and collecting data.

III-6. a. Monitor project through on-site visit
b. Review measurement criteria
c. Verify records of caseload

1. New Referrals
2. Active Probationers
3. Inactive Probationers
4. Drop Ins

d. Interview

1. Project Director
2. Deputy Probation Officer
3. SPA Evaluator

III-7. Project Director (Chief Probation Officer)
Deputy Probation Officer
SPA Evaluator

III-8. The results obtained from this project will be utilized in future plans to develop, fund, or implement similar projects in other areas of the state within the manpower program category.

IV-1. Project Title: City-County Felony Drug Squad (Butte)

Funding:	Federal	$ 41,970.00
	State	2,350.00
	Local	11,640.00
	TOTAL	$ 55,960.00

IV-2. Objectives

1. Utilizing the city-county felony drug squad team to increase the drug arrests by at least 20% in a one-year period of time.

2. To prepare better case files by means of a well-trained team and to improve the ratio of convictions by 20% for illegal narcotics and restricted dangerous drug offenses.

3. To increase the working relationship with other law enforcement agencies, since there are many small communities in the surrounding areas without trained personnel in the narcotics field.

4. To start a comprehensive in-service and outside-of-service training program in narcotics and related felonies.

IV-3. 1. The number of arrests made by the team.
2. The quantity of drugs seized by the team.
3. Trends in "street price" (retail value) of drugs.
4. The conviction rate for drug arrests made by the team.
5. The number of investigations undertaken by the team.

IV-4. Data for objective

a. A record will be maintained by the City-County Felony Drug Squad to reflect the number of drug arrests. Reports will be compiled and tallied for each quarterly report.

An analysis of trends in retail prices of drugs over a twelve month period will be conducted.

Data for objective

b. The proportion of arrests leading to convictions (thereby denoting "good arrests").

The number of arrests made by the team as a proportion of the total arrests made in the county during the project period.

Data for Objective

c. 1. An estimate of time spent in other communities.
2. Communities requesting assistance.
3. Cases investigated outside Butte proper.

Data for Objective

d. 1. Date training began.
2. Training received by team members in narcotics and related felonies.
3. Schools or classes attended in and out-of-state.
4. Programs initiated to dissiminate information on drugs and related felonies.

IV-5. The Technical Assistance of an SPA Evaluator was provided in a preapplication conference to assist in developing goals and objectives.

A field representative visits the project regularly to monitor progress. Progress reports are analyzed periodically and a six month interim assessment will be performed.

The interim and final evaluation will require on-site visits to validate records, and interview the team members.

IV-6. a. Check statistical records maintained
b. Interview project director & team members
c. SPA Evaluation Records
d. Drug rehabilitation center director

IV-7. Project Director
Doctors in Rehabilitation Center & Hospitals
Team Members
SPA Evaluator

IV-8. The results obtained from this project will provide valuable information for future plans, replication, developing, funding or implementing other projects in the special impact program category.

V-1. Title: Facilities Consolidation (Livingston)

Funding:	Federal	$33,521.63
	State	1,862.31
	Local	1,862.31
	TOTAL	$37,246.25

V-2. Objectives

a. The primary objectives of the combined jail facility are elimination of unnecessary duplication, operational economy, human care, safe and sanitary conditions, and 24-hour surveillance of prisoners.

b. The objectives outlined in the communications section are "to eliminate duplication of radio equipment and manpower, to provide a 24-hour efficient operation, and to decrease response time."

c. A major objective is to improve law enforcement efficiency by allowing officers to perform their primary duties and decreasing response time.

d. The objectives of a single records system are to eliminate duplication, decrease time spent in records search, and provide efficiency in compiling data.

e. Reduction of overall cost, instant processing of evidence, and maintaining "chain of evidence" are the primary objectives for a photo lab.

V-3. Objective A

- operational efficiency
- appraisal of officer safety
- manpower requirements
- unit cost to maintain prisoners
- prisoner care

Objective B

- dispatcher efficiency
- dispatch personnel and cost
- cost comparison
- number of calls received

Objective C

1. Response time

Objective D

1. Records Search
2. Cost Savings
3. Records System Efficiency
4. Cost Benefit

Objective E

Reduction of overall cost, instant processing of evidence and maintaining "chain of evidence" are the primary objectives for a photo lab.

V-4. Objective A Data

a. Operational efficiency-booking and lock-up of prisoners.

b. Appraisal of officer safety - booking and lock-up.

c. Manpower requirements to operate 24 hour operation.

d. Unit cost to maintain prisoners in the combined facility vs the two facility concept.

e. Prisoner care - humane treatment, quality of food and sanitary conditions.

Objective B Data

a. Efficiency by the dispatcher in providing immediate response to the needs of the caller requiring assistance.

b. Dispatch personnel and cost required to maintain a 24 hour operation.

c. Cost comparison of single to dual communication facilities.

d. Number of calls received on the play back recorder requesting highway and weather conditions.

Objective C Data

The time of each call requiring immediate response will be recorded by the dispatcher. The officer responding to the call will notify dispatch of his arrival time on the scene. This time will also be logged plus the total elapsed time.

Objective D Data

Time required in records search under the new system as compared to the old.

Cost saving by elimination of inter-departmental records search.

Efficiency of the central records system in compiling data.

Cost benefits derived through consolidation of records including personnel required to maintain the records system.

Objective E Data

This facility will be analyzed in terms of cost benefit (return on investment), e.g., 1,000 photos processed, cost 60¢ per copy (commercial rate), 06¢ per copy (new photo lab), $3,000 estimated cost of lab facilities.

The formula derived, 1,000 x .60¢ - 1,000 x .06¢ = $540 net benefit

$$\text{Return on investment} = \frac{\text{Net Benefit}}{\text{Facility Cost}} = \frac{\$540}{\$3,000} = 18\%$$

Since the attitude of each law enforcement agency is the key ingredient of success, an attitudinal survey will be conducted before start-up of the project and again, at the end of one year. Qualitative measures will be analyzed to determine what factors influenced the project results.

V-5. A preapplication conference was held to lend technical assistance in formulating and writing objectives.

The project implementation is frequently monitored by an SPA field representative. Quarterly reports are analyzed to assess the progress in meeting the operational schedule.

V-6. Analyze the results of the pre and post attitudinal survey.

On-site monitoring visit
Sample Data to confirm results
Interview project personnel

V-7. Project Director
City/County Board established for this project
Chief of Police and County Sheriff
SPA Evaluator

V-8. Future projects of this type will depend on the success or failure of partial or total consolidation of law enforcement agencies. The results obtained in the final analysis will provide information for similar projects in the special impact program area.